



Independent Technical Planning Review

Prepared on behalf of Wilpshire Parish Council

Proposed Residential Development at Salesbury View, Wilpshire

Final Issue – July 2026



Independent Technical Planning Review

Proposed Residential Development at Salisbury View, Wilpshire

Independent Review of the Current Planning Application and Comparison Against the Previous Appeal Decision

Chapter 1 - Introduction

1.1 Purpose of the Review

This review has been commissioned to provide an independent technical assessment of the current planning application for residential development at Salisbury View, Wilpshire.

The purpose of the review is to consider whether the current proposal has demonstrably addressed the matters that led to the dismissal of the previous planning appeal and to identify any planning, design or technical matters that remain unresolved or require further evidence to demonstrate that the previous concerns have been satisfactorily addressed.

The review has been prepared independently using the information currently available within the public domain together with other documentation provided by the commissioning group.

It is not intended to replace the role of the Local Planning Authority, Planning Inspector or statutory consultees. Instead, it provides an independent technical assessment of the planning and design evidence submitted in support of the application and the extent to which that evidence supports the planning conclusions now being reached.

1.2 Scope of Review

The review considers:

- the previous Appeal Decision and the Inspector's findings;
- the current planning application and supporting documentation;
- the current Officer Report and recommendation;

- the extent to which the revised proposals respond to the matters identified by the Inspector;
- whether the supporting technical evidence adequately substantiates the conclusions reached;
- whether any additional planning or design considerations emerge which may warrant further consideration.

1.3 Methodology

The review has been undertaken by systematically comparing the findings of the previous Appeal Decision with the current planning submission.

Each principal issue identified by the Inspector has been reviewed against:

- the revised design proposals;
- supporting technical reports;
- planning policy;
- consultation responses;
- the current Officer Report.

Whilst the review principally focuses on the matters identified by the Planning Inspector, it also considers whether additional planning or design issues emerge which do not appear to have formed part of the previous appeal, but which may nevertheless be material to the assessment of the current proposal.

The assessment has been undertaken from the perspective of an independent architect with specialist expertise in inclusive design, later-living environments and the creation of healthy, accessible communities. Accordingly, the review considers not only compliance with planning policy, but also how the proposed development may function as a place for people throughout all stages of life.

1.4 Limitations

This review is based upon information available at the time of writing.

Where information is unavailable, incomplete or unclear, this has been identified within the report. In such circumstances, no assumptions have been made beyond the evidence available.

1.5 Structure of this Report

For clarity, the report has been structured as follows:

- **Chapter 1** – Introduction
- **Chapter 2** – Planning Background
- **Chapter 3** – Creating Places That Work for People
- **Chapter 4** – Character and Appearance
- **Chapter 5** – Layout and Design Response
- **Chapter 6** – Engineering Response, Landform and Landscape Integration
- **Chapter 7** – Public Right of Way 25, Salesbury View and Everyday Accessibility
- **Chapter 8** – Planning Balance and Overall Conclusions
- **Chapter 9** – Overall Conclusion & Closing Statement
- **Appendix A** – Documents Reviewed, Analysed and Recorded
- **Appendix B** – Research Schedule with Rag Analysis
- **Appendix C** – Response to the Inspector's Decision – Technical Evidence

The purpose of this review is not to advocate either approval or refusal of the application, but to assess whether the evidence submitted is sufficient to support the planning conclusions now being reached.

Chapter 2 - The Planning Background

2.1 The Site

The application site comprises land at Salesbury View, Wilpshire, which is allocated for residential development within the adopted Ribble Valley planning framework.

The site occupies a prominent position on the edge of the existing settlement and is characterised by significant changes in level across the site, with development proposed on land rising from Whalley Road towards the eastern boundary.

The surrounding area comprises existing residential development together with open countryside and established landscape features which contribute to the character of the settlement edge.

2.2 Planning History

Planning permission has previously been sought for residential development of the site.

The previous application was refused by Ribble Valley Borough Council and subsequently dismissed at appeal following consideration by the Planning Inspectorate.

The current application represents a revised proposal intended to address the concerns identified by the Planning Inspector within the previous Appeal Decision.

The current application has been accompanied by a substantial volume of revised technical information, amended drawings and supporting documentation.

2.3 Subsequent Planning Context

Since submission of the revised application, a further Appeal Decision has been issued by the Planning Inspectorate relating to land south of Chatburn Old Road (APP/T2350/W/25/3372635), dated 7 January 2026.

Whilst that appeal concerned a separate proposal, the Inspector was required to assess Ribble Valley Borough Council's five-year housing land supply and, in doing so, specifically considered the current Salesbury View application.

The Inspector noted that a planning application for approximately 80 dwellings at Salesbury View had been submitted and that no technical objections had been received from statutory consultees. However, the Inspector concluded that there was insufficient certainty that the proposal would be permitted or delivered within the five-year period and therefore excluded the site from the Council's deliverable housing land supply.

Accordingly, whilst the decision does not determine the planning merits of the current application, it forms part of the subsequent planning context within which this review has been prepared and has been taken into account where relevant.

2.3 Purpose of the Current Review

The principal purpose of this review is to consider whether the revised application has demonstrably addressed the matters identified by the Planning Inspector.

In doing so, the review considers not only the physical amendments to the scheme but also whether the supporting technical evidence adequately demonstrates that the previous concerns have been overcome.

Where appropriate, the review also identifies additional planning or design considerations that may arise from the current proposal and which may merit further examination.

2.4 Evidence Review Process

This review has been undertaken using a structured, evidence-led methodology designed to ensure that each of the Inspector's findings was considered individually and assessed against the evidence submitted in support of the current planning application.

The process was undertaken in four principal stages.

Stage 1 – Review of the Inspector's Decision

The Inspector's previous appeal decision was examined paragraph by paragraph. Rather than simply identifying points of agreement or disagreement, each paragraph was interrogated to identify the questions that naturally arose from the Inspector's findings. Those questions formed the basis of a comprehensive research schedule, reproduced as Appendix B.

Stage 2 – Evidence Identification and Research Schedule

A comprehensive numbered index was then prepared covering the drawings, technical reports and supporting documents submitted across the three historic planning applications associated with the site. This allowed each research question within Appendix B to be linked to the documents most likely to contain the evidence needed to address it.

At the same time, each paragraph of the Inspector's decision was assessed according to its significance to the overall planning balance using a Red, Amber and Green (RAG) appraisal.

- Red – Principal issues central to the Inspector's decision and the determination of the current application.
- Amber – Supporting issues requiring further investigation where relevant evidence was available.
- Green – Background or contextual matters considered to have less influence on the overall planning balance.

This prioritisation established the order in which the evidence review was undertaken.

Stage 3 – Evidence Review

Each research question was then examined against the available planning evidence. Relevant information was identified from drawings, technical reports, consultation responses and supporting documents before being assigned to the relevant Inspector's paragraph.

This process resulted in the preparation of Appendix C, which documents the evidence reviewed, identifies where evidence was or was not found, poses and answers the principal questions arising from each issue, and records the evidence-based conclusions reached.

The review therefore developed iteratively, with observations, research questions and conclusions evolving as the evidence base was interrogated.

Stage 4 – Preparation of the Independent Technical Planning Review

Having completed the detailed evidence review documented within Appendices A to C, the principal findings were distilled into this report. The purpose of the report is not to repeat every element of the research undertaken, but to summarise the matters considered most material to the determination of the current planning application, with the detailed evidence trail retained within the appendices.

2.5 Documents Reviewed

At the time of writing, the review has considered, or will consider, the following principal documents:

- Previous Appeal Decision
- Previous Appeal Statements of Case
- Current Committee Report
- Design and Access Statement
- Planning Statement
- Transport Assessment
- Landscape and Visual Impact Assessment
- Landscape Masterplan
- Drainage Strategy
- Supporting consultation responses
- Relevant planning policy
- Other technical documents where relevant to specific issues under consideration.
- See Appendix A for Drawing & Documents List
- See Appendix B for Rag Analysis of the Inspector's Appeal Decision
- See Appendix C for the detailed technical evidence review arising from the research process documented in Appendices A and B.

Chapter 3 – Creating Places That Work for People

3.1 Designing for People & Community

The existence of revised drawings and updated technical reports does not, in itself, demonstrate that the reasons for dismissing the previous appeal have been overcome. That requires objective evidence capable of supporting a different planning conclusion. Before examining the detailed technical findings, it is therefore necessary to establish the planning framework and assessment principles against which the revised proposal has been evaluated.

The current planning application is being considered within a national policy context that places significant emphasis on increasing housing delivery and maintaining an adequate supply of deliverable housing land. Those objectives are important. The need to provide additional homes is well recognised nationally and locally, and this review does not seek to diminish the importance of meeting that need. Equally, the allocation of the site for residential development establishes that, in principle, housing on this land is acceptable.

However, the planning system has never been solely concerned with the delivery of housing numbers.

National planning policy continues to require development to create well-designed, sustainable and inclusive places that respond positively to their surroundings, function effectively for all members of society and protect the qualities that make places attractive to live in. The objective is not simply to build more homes, but to ensure that the homes delivered are appropriate to their context and capable of serving the needs of present and future communities.

The Planning Inspector's previous decision reflected that balance. Although the principle of residential development was accepted, the appeal was dismissed because the detailed design, engineering response and relationship with the surrounding landscape were found to result in unacceptable harm to the character and appearance of the area.

The need for additional housing is recognised and is an important material consideration. The key question for the current application, however, is whether the revised proposal has objectively demonstrated that the matters which previously led to dismissal have now been overcome.

Throughout this review, the evidence has been examined against that question alone.

3.1 A People-First Perspective

Good planning is fundamentally about people.

The places created today will shape the daily lives of residents for decades to come. Decisions made through the planning process influence not only the appearance of a development, but also how safely, comfortably and independently people are able to live within it throughout changing stages of life.

An environment that functions well for a young family should also remain usable for an older person, a wheelchair user, someone pushing a pram, residents with reduced mobility, delivery drivers, carers, visitors and emergency services. Inclusive design is therefore not a specialist consideration; it is a fundamental component of sustainable development.

National planning policy reflects this principle by seeking development that is safe, accessible and inclusive, and that creates places where people can live healthy and fulfilling lives.

During this review, a number of issues have emerged which extend beyond questions of visual appearance alone. These include the relationship between the site's challenging topography, significant engineering works, sole means of vehicular access via Salesbury View, pedestrian movement, accessibility and the practical operation of the development during everyday use and adverse conditions.

These matters are not considered because they oppose development. They are considered because they influence how successfully the proposed neighbourhood would function for the people expected to live there.

Housing delivery is an important objective of national planning policy. However, national policy does not seek the delivery of housing at any cost. It continues to require development to be well designed, safe, accessible, sustainable and appropriate to its context. These objectives are complementary rather than competing. The delivery of additional homes and the creation of high-quality places should be achieved together, not traded against one another.

3.2 Purpose of the Technical Review

The purpose of this review is therefore neither to oppose development nor to revisit the principle of residential development on the allocated site. Its purpose is to establish whether the evidence now before the Local Planning Authority objectively demonstrates that the principal concerns identified by the Planning Inspector have been satisfactorily addressed. Where evidence demonstrates that concerns have been overcome, this review acknowledges those changes; where evidence is incomplete, unsupported or does not demonstrate that previous concerns have been resolved, that has likewise been recorded.

The conclusions presented throughout this report are therefore based upon the evidence submitted in support of the current planning application, rather than upon assumptions or subjective opinion.

Chapter 4 – Character and Appearance

4.1 The Principal Planning Issue

The previous appeal was dismissed because the Planning Inspector concluded that the proposed development would result in unacceptable harm to the character and appearance of the area. This was identified as the principal issue against which the proposal was assessed, with the detailed findings relating to layout, landscape, topography and engineering works all informing that overarching conclusion.

The current application has therefore been reviewed against the same fundamental question:

"Does the revised proposal, supported by objective technical evidence, now demonstrate that the harm previously identified has been overcome?"

Throughout the detailed assessment contained within Appendix C, the revised proposal has been tested against the Inspector's principal findings and the supporting evidence submitted with the current application. Whilst a number of amendments have been made to the scheme, the review identifies that many of the principal technical documents remain substantially unchanged, with revisions tending to focus on specific elements of the layout rather than representing a comprehensive redesign of the development. This conclusion is supported by **Document 87 – Explanation of Key Changes**, which confirms that *"the majority of the supporting technical assessments have not significantly changed"* following the amendments.

The same position is reflected within Document 119 – Planning Statement and Document 75 – Committee Report, both of which continue to assess the revised proposal against the Inspector's previous findings rather than presenting a fundamentally different development proposal. These matters are examined in detail within Appendix C – Response to the Inspector's Decision, Inspector Paragraph 4 (pp. 12–18) and Inspector Paragraph 7 (pp. 27–31). The assessment therefore considers not simply whether changes have been made, but whether those changes are proportionate to the concerns previously identified and whether the supporting technical evidence demonstrates that those concerns have been satisfactorily addressed.

4.2 Findings of this Review

The detailed technical assessment identifies several recurring themes.

Firstly, whilst targeted amendments have been made to the proposal, these are frequently accompanied by technical reports that remain substantially unchanged from those considered at appeal. This is acknowledged by the applicant within Document 87 – Explanation of Key Changes, which confirms that the majority of the supporting technical assessments have not significantly changed.

In a number of instances, conclusions supporting the revised proposal have changed without corresponding evidence demonstrating that the underlying circumstances have materially altered. This finding is supported by the detailed review of Documents 87, 119, 75, 13–14 and 26–28, as set out within Appendix C, Inspector Paragraphs 4 and 7.

Secondly, many of the Inspector's principal concerns were cumulative in nature. The previous appeal was not dismissed because of a single retaining wall, individual plot or isolated engineering intervention. Rather, the Inspector concluded that the combined effect of the layout, extensive earthworks, retaining structures, relationship with the landscape and visual prominence of the development would result in unacceptable harm to the character and appearance of the area. The revised evidence demonstrates that whilst amendments have been made to retaining walls, finished levels, swale alignment, landscape planting and individual plot arrangements, the development continues to rely upon significant land regrading, extensive retaining structures, development across the same transitional landscape and continued reliance upon landscape mitigation to reduce rather than avoid visual effects. These matters are considered throughout Document 13/14 – Amended Design and Access Statement, Documents 26–28 – Amended Landscape and Visual Impact Assessment, and Document 87 – Explanation of Key Changes, and are reviewed in detail within Appendix C, Inspector Paragraphs 7–18.

The application site occupies an elevated position on the settlement edge of Wilpshire, forming part of the transitional landscape between the existing village and the surrounding countryside. The applicant's own Landscape and Visual Impact Assessment identifies the site as having a "typical edge of settlement character" and notes that "the topography allows longer distance views of ridges, valleys, woodland and settlement". It further describes the site as being situated "on the lower slopes of the west facing side of a ridge immediately adjacent to the existing settlement edge of Wilpshire" and identifies the Mellor Ridge Landscape Character Area as providing "important buffers between rural and urban landscapes".

This wider landscape relationship is illustrated by Figure 1 – Landscape Context (p.6), whilst Figure 2 – Proposed Site Layout (p.7) and Figure 4 – Landscape Masterplan demonstrate that the revised proposal continues to occupy and develop the same transitional landscape.

Whilst the principle of residential development has been established through the allocation of the site, the evidence reviewed does not demonstrate that the revised proposal has fundamentally altered that underlying relationship. Whilst amendments have been made to individual elements of the layout and landscape strategy, the proposal continues to rely upon development of this transitional landscape, with the submitted evidence indicating refinement of the development response rather than a fundamental change to the site's relationship with the surrounding landscape.

Finally, the review identifies a number of broader considerations relating to accessibility, movement, topography and the practical functioning of the development which extend beyond visual appearance alone.

These include continued reliance upon a single point of vehicular access via Salesbury View, the absence of any identified assessment of winter resilience or emergency access during severe weather, and the practical implications of the site's steep topography for older residents, families with young children, wheelchair users and those with reduced mobility. Whilst these matters did not form explicit reasons for dismissal at appeal, they are directly relevant when considering whether the revised proposal represents well-designed, sustainable and inclusive development. These issues are considered within Appendix C, Inspector Paragraph 3 (pp. 1–11) together with the subsequent review of accessibility, topography and Salesbury View contained within Inspector Paragraphs 9–18.

4.3 Summary

The detailed evidence reviewed throughout Appendix C indicates that amendments have been made to the proposal following dismissal of the appeal. However, the existence of amendments does not, in itself, demonstrate that the Planning Inspector's principal findings have been overcome.

The evidence reviewed indicates that the revised application has been refined rather than fundamentally redesigned. Whilst targeted amendments have been made to individual elements of the proposal, the supporting technical evidence remains substantially unchanged, and no objective evidence has been identified demonstrating that the cumulative character and appearance impacts identified by the Planning Inspector have been materially overcome.

The chapters that follow therefore examine the principal components of the proposal – including layout, engineering response, landscape, Public Right of Way 25, Salesbury View and the overall planning balance – to determine whether the submitted evidence objectively supports a different conclusion from that previously reached.

Chapter 5 – Layout and Design Response

5.1 Principal Finding

The Planning Inspector concluded that the proposed layout failed to respond successfully to the site's physical characteristics and that the cumulative effect of the layout, engineering works and relationship with the surrounding landscape would result in unacceptable harm to the character and appearance of the area.

The revised application has therefore been assessed to determine whether the amendments to the layout represent a fundamental redesign of the development or whether they comprise targeted modifications to individual elements of the scheme.

Having reviewed the submitted evidence, this assessment concludes that the revised layout has been refined but has not been fundamentally re-planned. Whilst amendments have been made to individual plots, retaining structures, finished levels and landscape treatment, the overall development strategy remains substantially unchanged and continues to rely upon the same site-wide engineering response identified by the Planning Inspector.

The evidence demonstrates that the revised proposal continues to be dictated by the site's inherent constraints, including the steep topography, overhead electricity lines, water main, existing vegetation and the single point of vehicular access via Salesbury View. Those constraints remain unchanged and continue to determine the disposition of the development across the site. These matters are examined in detail within Appendix C, Inspector Paragraphs 11–18.

5.2 Findings of this Review

The applicant has sought to address a number of the Inspector's concerns through revisions to the site layout. These include amendments to retaining walls, modifications to garden gradients, revisions to finished floor levels, changes to swale alignment and localised alterations to the arrangement of individual plots.

These amendments are recorded within Document 87 – Explanation of Key Changes and reflected within the amended drawings and supporting technical documents. However, the applicant also acknowledges that the majority of the supporting technical assessments have not significantly changed following those amendments. This distinction is important because it demonstrates that the revised application remains supported by substantially the same technical evidence considered during the previous appeal. Appendix C considers this issue in detail through Inspector Paragraphs 11–18.

The review identifies that many of the site's principal physical constraints remain exactly as described by the Planning Inspector. The development continues to be designed around significant changes in level, extensive engineering operations, overhead electricity infrastructure, existing trees, drainage infrastructure and a single vehicular access. Whilst the revised layout seeks to accommodate those constraints more effectively, the submitted evidence does not demonstrate that the constraints themselves have been materially reduced or overcome.

The Inspector previously concluded that the relationship between the proposed layout and the site's topography resulted in an overly engineered form of development. Having reviewed the amended drawings, retaining wall details, finished level plans and sectional information, this assessment finds that the revised proposal continues to rely upon substantial land regrading, engineered development platforms and retaining structures in order to facilitate the proposed quantum of development. The engineering response therefore remains a defining characteristic of the scheme rather than an incidental design feature. This conclusion is supported by the detailed assessment contained within Appendix C, Inspector Paragraphs 16–18.

The cumulative nature of the Inspector's concerns is particularly important. The previous appeal was not dismissed because of an individual retaining wall, isolated dwelling or specific engineering Documents 49, 56–66 and 141–146, intervention. Rather, the Inspector concluded that the collective effect of the layout, landform alterations, retaining structures and relationship with the landscape created unacceptable harm to the character and appearance of the area. The evidence reviewed does not demonstrate that this cumulative relationship has fundamentally changed.

Whilst individual amendments may reduce the impact of particular elements of the scheme, the overall layout continues to be characterised by extensive engineering intervention across a steeply sloping site. The revised proposal therefore continues to exhibit the same fundamental design approach previously considered by the Planning Inspector.

Furthermore, the review identifies that a number of layout changes appear to respond to individual criticisms raised within the Appeal Decision rather than representing a comprehensive reconsideration of the overall design strategy. Consequently, whilst individual issues may have been moderated, the evidence does not demonstrate that the underlying design philosophy of the development has materially changed.

5.3 Conclusion

The evidence reviewed demonstrates that the revised application incorporates a series of targeted amendments intended to respond to the Planning Inspector's findings.

However, those amendments do not amount to a fundamental redesign of the proposal.

The submitted evidence demonstrates that:

- the overall development strategy remains substantially unchanged;
- the proposal continues to rely upon extensive engineering works to facilitate development across the site's challenging topography;
- the principal physical constraints identified by the Planning Inspector remain present;
- the supporting technical evidence remains substantially unchanged; and
- no objective evidence has been identified demonstrating that the cumulative layout concerns identified by the Planning Inspector have been overcome.

Accordingly, this review concludes that the revised layout represents an evolution of the previous scheme rather than a materially different form of development. The evidence reviewed does not demonstrate that the Planning Inspector's concerns regarding the relationship between the layout, topography and character of the area have been satisfactorily addressed.

The following chapter therefore considers whether the proposed engineering response and landscape strategy demonstrate that the extensive landform alterations and visual impacts identified by the Planning Inspector have now been overcome.

Chapter 6 – Engineering Response, Landform and Landscape Integration

6.1 Principal Finding

A recurring theme throughout the Planning Inspector's decision is that the proposed development has been heavily influenced by the site's challenging topography. The Inspector identified that the extent of engineering works required to facilitate development fundamentally altered the natural landform and contributed significantly to the unacceptable impact upon the character and appearance of the area. The revised application has therefore been reviewed to establish whether the engineering response has been fundamentally reduced or whether the proposal continues to rely upon extensive intervention to make development possible.

Having reviewed the submitted evidence, this assessment concludes that whilst amendments have been made to specific engineering details, the revised proposal continues to rely upon substantial cut and fill operations, retaining structures, engineered development platforms and significant alterations to the existing landform. The evidence does not demonstrate that the overall engineering response has fundamentally changed since the previous appeal.

These matters are examined in detail throughout Appendix C, particularly Inspector Paragraphs 16–18 together with the supporting review of the amended engineering drawings, landscape strategy and sectional information.

6.2 Findings of this Review

The submitted application contains a number of revised engineering drawings, finished level plans, retaining wall details and landscape amendments intended to respond to the Planning Inspector's concerns.

These include revisions contained within:

- Documents 61–62 – Amended Retaining Wall Sections;
- Documents 65–66 – Amended Schematic Finished Levels;
- Documents 56–58 – Amended Proposed Site Sections;
- Documents 141–146 – Schematic Cut and Fill and Finished Levels;
- Documents 24 and 104 – Landscape Masterplans; and
- Documents 26–28 and 99–103 – Landscape and Visual Impact Assessments.

The review confirms that a number of localised changes have been introduced to reduce the visual impact of individual retaining walls and improve relationships between proposed dwellings and surrounding land levels. However, these amendments do not remove the fundamental engineering requirements of the scheme.

The proposed development continues to depend upon extensive manipulation of the site's existing landform in order to create developable platforms across a steeply sloping hillside. Retaining walls remain an integral component of the layout, whilst substantial alterations to existing ground levels continue to underpin the overall design strategy.

The Planning Inspector specifically referred to the retaining walls at 22 and 24 Hollowhead Avenue when explaining how substantial retaining structures can influence the character and appearance of the settlement edge. Site photographs obtained during the preparation of this review illustrate those existing retaining walls and their relationship with the adjoining countryside. They are included to provide visual context to the Inspector's observations and to assist readers in understanding the physical example relied upon within the previous appeal decision. The photographs are reproduced within Appendix C for reference.

The evidence reviewed therefore demonstrates that the engineering response remains a defining characteristic of the proposal rather than a secondary consequence of the layout. This conclusion is reinforced by the Planning Inspector's original observations relating to the cumulative impact of engineered landform, retaining structures and the visual relationship between the development and its surrounding landscape. The amended drawings demonstrate refinement of these features but do not demonstrate their removal.

Similarly, the revised Landscape and Visual Impact Assessment continues to rely heavily upon additional planting and the passage of time to reduce the visual effects of the development. This distinction is significant. Landscape mitigation seeks to soften the appearance of development once constructed; it does not remove the physical engineering works that give rise to those effects. Throughout Appendix C, the review identifies that many of the revised landscape proposals reduce rather than eliminate the impacts previously identified by the Planning Inspector. Consequently, the evidence demonstrates a degree of mitigation but does not demonstrate that the underlying engineering response has fundamentally changed.

The review also notes that many of the proposed landscape benefits will only be realised over an extended period as planting matures. The Planning Inspector previously recognised this time lag, acknowledging that newly planted vegetation cannot provide immediate screening or landscape integration.

The revised application continues to rely upon that same principle. Consequently, the visual success of the development remains dependent upon future establishment of landscape mitigation rather than the inherent compatibility of the layout with the site's existing landform.

6.3 The Cumulative Engineering Effect

One of the clearest findings arising from this review is that the engineering works should not be considered individually. No single retaining wall, cut slope or engineered terrace is likely to determine the acceptability of the proposal in isolation.

However, when considered collectively, these interventions fundamentally alter the natural landform across large parts of the site.

The Planning Inspector's concern was not simply that engineering works existed, but that the cumulative extent of those works contributed to an urbanising form of development that appeared imposed upon the landscape rather than responding sympathetically to it.

Having reviewed the amended engineering drawings, sections, levels, landscape proposals and supporting evidence, this assessment concludes that this cumulative relationship remains substantially unchanged.

Whilst individual engineering interventions may have been moderated, the revised proposal continues to rely upon a significant level of engineered intervention in order to accommodate the proposed quantum of development.

6.4 Conclusion

The evidence reviewed demonstrates that amendments have been made to the engineering details of the proposal.

However, the evidence does not demonstrate that the revised development responds fundamentally differently to the site's challenging topography.

This assessment finds that:

- significant engineering intervention remains necessary to facilitate the proposed development;
- retaining structures continue to form an integral component of the layout;
- substantial alterations to existing ground levels remain evident throughout the site;
- the revised landscape strategy primarily mitigates rather than removes identified impacts;
- successful landscape integration continues to rely upon future planting maturity; and
- no objective evidence has been identified demonstrating that the cumulative engineering response criticised by the Planning Inspector has been fundamentally overcome.

Accordingly, this review concludes that the revised proposal remains reliant upon an extensive engineering solution to facilitate development across the site and that the evidence submitted does not demonstrate that the Planning Inspector's concerns regarding landform, engineering response and landscape integration have been satisfactorily addressed.

The following chapter considers how these engineering and landscape interventions influence the experience of the site from Public Right of Way 25, neighbouring properties and the wider landscape setting, together with the implications of the site's accessibility and sole means of access via Salesbury View.

Chapter 7 – Public Right of Way 25, Salesbury View and Everyday Accessibility

7.1 Principal Finding

The Planning Inspector identified Public Right of Way 25, the site's steep topography and the single point of vehicular access via Salesbury View as integral components of the site's character and appearance. These features were not considered in isolation, but collectively informed the Inspector's assessment of how the proposed development would relate to its landscape setting and function within its physical environment.

This review has therefore considered not only the visual effects of the revised proposal, but also whether the submitted evidence demonstrates that it would create an environment capable of supporting safe, practical and inclusive everyday living for future residents.

Having reviewed the submitted evidence, this assessment concludes that the revised application does not demonstrate that these matters have been fundamentally overcome.

Whilst revisions have been made to elements of the layout and landscape proposals, the development continues to rely upon a single point of vehicular access via Salesbury View, significant changes in level throughout the site and a pedestrian environment that presents considerable challenges for many potential future occupants and users.

These matters are considered throughout Appendix C, particularly Inspector Paragraphs 3, 9–18 and 37–39.

7.2 Putting Wellbeing & People First

Throughout the submitted application, the emphasis is placed upon demonstrating that the highway network can technically accommodate the proposed development through assessments of traffic generation, junction capacity, visibility and vehicle movements. Comparatively little evidence has been identified examining how the completed development would function for the people expected to live there. In particular, the submitted evidence does not address how residents, visitors and essential services would negotiate the site's single, steep point of access during everyday use or periods of adverse weather, nor does it consider the practical implications for inclusive access, independent living and the routine activities that form part of daily life.

This review identified no assessment of how the completed development would function in day-to-day use for older residents, parents with young children, wheelchair users, mobility scooter users or households without regular access to a private car. These matters are particularly relevant given the proposed provision of affordable housing, the site's steep topography and the limited opportunities for convenient access to local services without reliance upon Salesbury View.

Public Right of Way 25 is more than a pedestrian connection; it forms part of the recreational environment used by local residents to experience the transition between the existing settlement and the surrounding countryside. The route currently passes through a wooded section of Green Belt before continuing alongside the eastern boundary of the application site, where users experience its rural setting and open character. Whilst the revised proposal incorporates additional landscape planting intended to soften visual effects over time, the evidence reviewed indicates that users of the route would nevertheless experience a fundamental change in the character of this section of the walk, with development, engineered landform and associated infrastructure replacing part of the existing rural setting.

This change is relevant not only to landscape character and visual amenity, but also to the quality of the walking environment experienced by residents and visitors using Public Right of Way 25 for recreation, active travel and everyday wellbeing. This review notes that the importance of attractive, accessible walking environments is well established within current Government policy and guidance. The Office for Health Improvement and Disparities recognises that the built and natural environment is a significant determinant of health and wellbeing and that planning should support the creation of healthy places, whilst Active Travel England identifies Public Rights of Way as important recreational and active travel routes that provide access to nature and should be protected and enhanced through the planning process.

7.3 Salesbury View – Resilience of the Site's Sole Means of Access

The submitted Transport Assessment, Travel Plan and Highway consultation responses consistently identify Salesbury View as the sole vehicular access serving the proposed development. This position remains unchanged from the previous appeal and therefore continues to represent a fundamental characteristic of the site.

The evidence reviewed confirms that the amended Transport Assessment examines conventional transport planning matters, including traffic generation, junction capacity, visibility, accessibility, vehicle tracking and the operation of the surrounding highway network. These assessments are important in establishing whether the highway network is capable of accommodating the proposed development.

However, this review identified comparatively little evidence examining how the site's only means of vehicular access would function throughout the lifetime of the development under a range of foreseeable operating conditions. In particular, no assessment has been identified that considers:

- winter resilience of Salesbury View;
- operation during periods of snow or ice;
- precautionary gritting arrangements;
- the implications for residents, visitors and essential services should the access become difficult to use;

- emergency service access during periods of severe winter weather; or
- contingency arrangements should the site's only vehicular access become temporarily unavailable.

These matters are considered within Documents 67–70, 87 and 91–92, together with the detailed assessment contained within Appendix C, Inspector Paragraph 3 (pp. 1–11).

The absence of this evidence is significant because Salesbury View is not simply an access road; it represents the sole means by which residents, visitors, deliveries, refuse collection vehicles, care providers, maintenance services and emergency services would enter and leave the development.

The consequences of disruption are therefore materially different from those associated with developments that benefit from alternative access routes.

Furthermore, the transition from Whalley Road into Salesbury View is constrained by a tight junction geometry immediately followed by a steep uphill gradient. During the preparation of this review, reference was made to an incident involving a larger vehicle experiencing difficulty negotiating this junction. However, documentary evidence of that incident has not been identified, and it has therefore not been relied upon in reaching the conclusions presented.

Planning decisions are necessarily forward-looking. The purpose of the planning process is not to wait until operational difficulties arise following occupation, but to establish, through proportionate evidence, whether a proposed development is capable of functioning safely, inclusively and reliably throughout its lifetime. Whilst the submitted highway evidence demonstrates how the development is intended to operate under normal conditions, this review found no evidence demonstrating how the development would continue to function during periods of adverse weather or other reasonably foreseeable disruption.

The issue is therefore not simply whether vehicles can technically gain access to the site. Rather, it is whether sufficient evidence has been provided to demonstrate that a development reliant upon a single, steep point of access can continue to operate as a safe, resilient and inclusive place in which people can live independently throughout the year.

7.4 Accessibility and Everyday Living

The planning system seeks not only to deliver housing, but to create places that are safe, inclusive and capable of supporting the needs of all sections of the community.

The revised proposal includes 30% affordable housing and a range of dwelling types intended to accommodate a diverse residential population.

However, the evidence reviewed does not identify any assessment of how the site's significant gradients may influence the everyday experience of those expected to live there.

The proposal continues to rely upon movement across a steeply sloping site accessed from Salesbury View, which itself has an approximate gradient of 1:12.

Whilst this may satisfy conventional highway design standards, no evidence has been identified demonstrating how the development would function in practice for:

- older residents;
- wheelchair users;
- people with reduced mobility;
- mobility scooter users;
- parents with pushchairs;
- families with young children;
- residents carrying shopping;
- visitors accessing homes on foot; or
- those wishing to reach local facilities without reliance upon a private car.

Similarly, whilst the submitted Travel Plan promotes walking, cycling and public transport, the review identifies limited consideration of whether those travel choices are realistic for all future residents given the site's topography and accessibility constraints.

This assessment does not suggest that every resident will experience difficulty. Rather, it finds that no objective evidence has been identified demonstrating that these important aspects of inclusive everyday living have been assessed.

Documents reviewed include 67–70 – Transport Assessment and Travel Plan, 13–14 – Design and Access Statement and 119 – Planning Statement, together with the detailed review contained within Appendix C.

7.5 Viewpoint 8 – Independent Verification of Visual Effects

One of the more significant findings arising from this review concerns Viewpoint 8 within the Landscape and Visual Impact Assessment. The submitted LVIA continues to identify Major Adverse residual effects from this viewpoint, including at Year 15. However, the review did not identify corresponding visual material capable of independently verifying those conclusions. Consequently, Members are asked to place weight upon conclusions that cannot readily be tested against comparable visual evidence. Given the importance attached to visual effects by the Planning Inspector, this limits the ability of decision-makers to independently assess whether the identified harm has materially changed.

7.6 Public Right of Way 25

Public Right of Way 25 formed an important component of the Planning Inspector's assessment because it provides publicly accessible views of the site and contributes to the experience of the surrounding landscape.

The revised Landscape and Visual Impact Assessment identifies amendments intended to reduce visual effects through revised planting, landscape treatment and mitigation.

However, the evidence reviewed indicates that the relationship between the proposed development and Public Right of Way 25 remains fundamentally unchanged.

The development continues to occupy the same elevated hillside position, with visual mitigation remaining dependent upon the successful establishment and long-term maturation of proposed planting.

Consequently, whilst the revised landscape proposals may reduce visual effects over time, the submitted evidence does not demonstrate that the relationship between the proposed development and Public Right of Way 25 has fundamentally changed from that previously considered by the Planning Inspector. These matters are examined in detail within Documents 24, 26–28 and 99–104, together with Appendix C, Inspector Paragraphs 37–39.

7.7 Cross-boundary Landscape Context

The application site lies immediately adjacent to the administrative boundary with Blackburn with Darwen Borough Council. Whilst administrative boundaries define planning responsibilities, they do not define the character of the landscape or the way in which it is experienced. The surrounding valley landscape, the Public Right of Way network and wider visual envelope extend beyond the Ribble Valley administrative boundary.

This wider context is recognised within the application documents themselves. The Landscape and Visual Impact Assessment identifies users of Public Right of Way 25 as receptors of high sensitivity and confirms that the footpath runs alongside the eastern site boundary. It also includes viewpoints from locations beyond the immediate site, including Paris, Ramsgreave, where the proposed development is assessed within the wider valley landscape. Significantly, the assessment specifically identifies the adjacent Blackburn with Darwen Borough Council Local Plan Allocation H195 within the visual context of Viewpoint 09, demonstrating that the surrounding landscape is considered across the administrative boundary rather than being confined to Ribble Valley alone.

Supporting evidence:

- Document 27 – Amended Landscape and Visual Impact Assessment (March 2026) – Section 08: Visual Baseline and Effects, Viewpoint 01, pp. 18–19 (Public Right of Way 25 users identified as high sensitivity receptors).
- Document 27 – Amended Landscape and Visual Impact Assessment (March 2026) – Viewpoint 09, pp. 26–27 (Paris, Ramsgreave viewpoint identifying Blackburn with Darwen Local Plan Allocation H195 within the wider landscape context).
- Document 24 – Amended Landscape Masterplan (Rev L) (illustrates the relationship of the proposed development to the surrounding landscape, Public Right of Way network and wider landscape framework).

Significantly, Blackburn with Darwen Borough Council also recognised the proposal as having cross-boundary implications within its formal consultation response (Document 73 – Blackburn with Darwen Council Comments). Owing to the site's proximity to the administrative boundary, the Council identified potential effects extending beyond Ribble Valley, including visual impacts within Blackburn with Darwen, and requested that these wider effects be taken into account when determining the application.

Accordingly, whilst the application falls to be determined by Ribble Valley Borough Council, the landscape and visual effects cannot properly be viewed as being confined by the administrative boundary. The proposal forms part of a wider landscape setting experienced by residents, visitors and users of the Public Rights of Way network across both authority areas.

7.7 Conclusion

The evidence reviewed demonstrates that the proposal continues to rely upon a single point of access via Salesbury View and a development layout dictated by significant changes in level across the site.

Whilst amendments have been made to elements of the proposal, no objective evidence has been identified demonstrating that:

- the operation of the site's only vehicular access has been assessed during severe winter weather;
- the practical implications of the site's steep topography have been assessed for a broad range of future residents;
- the proposal has been evaluated from the perspective of inclusive everyday accessibility rather than conventional highway operation alone; or
- the relationship between the proposed development and Public Right of Way 25 has fundamentally changed.

Accordingly, this review concludes that the revised application continues to raise significant concerns regarding accessibility, resilience and the day-to-day functioning of the proposed development, and that these matters reinforce, rather than diminish, the Planning Inspector's wider conclusions regarding the acceptability of the scheme.

The following chapter considers the overall planning balance and whether the changes to national planning policy, together with the amendments made to the proposal, provide sufficient justification for reaching a different planning conclusion from that previously reached by the Planning Inspector.

Chapter 8 – Planning Balance

8.1 Principal Finding

The Planning Inspector dismissed the previous appeal because the identified harm to the character and appearance of the area outweighed the benefits of the proposed development.

The current application has been submitted within a revised national policy context which places increased emphasis upon housing delivery and the maintenance of a five-year housing land supply. Those changes have been fully considered as part of this review.

However, national planning policy has not removed the requirement for development to be well-designed, contextually appropriate, accessible and sustainable. The delivery of additional housing remains an important material consideration, but it does not automatically outweigh identified harm where that harm has not been demonstrably overcome.

The principal question for this review has therefore been whether the revised proposal, supported by objective technical evidence, now justifies reaching a different planning conclusion from that previously reached by the Planning Inspector.

Having reviewed the submitted evidence, this assessment concludes that it does not. This matter is considered in detail within Appendix C, Inspector Paragraph 4, together with the review of the revised National Planning Policy Framework, the Planning Statement and the Committee Report.

8.2 What Has Changed?

This review acknowledges that amendments have been made to the proposal following dismissal of the appeal.

These include:

- revisions to aspects of the site layout;
- amendments to retaining walls and finished levels;
- modifications to landscape proposals;
- amendments to drainage features;
- revisions to individual plots; and
- updates to supporting application documents.

The revised application has also been determined against the December 2024 National Planning Policy Framework, within a planning context that places greater emphasis upon housing delivery than existed at the time of the original appeal.

These changes are recognised and have been fully considered throughout this review.

However, the existence of amendments does not, in itself, demonstrate that the Planning Inspector's concerns have been overcome.

The evidence must demonstrate that those amendments materially alter the planning conclusions previously reached.

8.3 What Has Not Changed?

The review identifies that a number of the proposal's defining characteristics remain substantially unchanged.

These include:

- the site's steep and challenging topography;
- the reliance upon extensive engineering works;
- significant land regrading and retaining structures;
- development across the same prominent hillside;
- the relationship with Public Right of Way 25;
- reliance upon a single point of vehicular access via Salesbury View;
- the need for landscape mitigation to soften rather than avoid visual impacts; and
- the principal technical evidence supporting the application.

Of particular significance is the applicant's own Document 87 – Explanation of Key Changes, which confirms that *"the majority of the supporting technical assessments have not significantly changed"* following the amendments. That conclusion is reflected throughout the detailed review contained within Appendix C.

Collectively, the evidence demonstrates that the revised proposal represents refinement of the previous scheme rather than a fundamentally different form of development.

8.4 Planning Judgement

Planning decisions are ultimately matters of planning judgement. Reasonable decision-makers may, in some circumstances, reach different conclusions when considering the same evidence. However, where a previous appeal has been dismissed on clearly identified planning grounds, it is reasonable to expect that a subsequent recommendation for approval will be supported by objective evidence demonstrating that those grounds have been materially overcome. This review has examined that question in detail.

Whilst amendments have undoubtedly been made, the review has not identified objective evidence demonstrating that the principal concerns relating to character, appearance, landform, engineering response, landscape integration and the cumulative effect of the development have been fundamentally resolved.

Whilst amendments have been made to aspects of the retaining wall design, the proposal continues to rely upon substantial retaining structures as part of its engineering response, and the evidence reviewed does not demonstrate that the contribution these make to the cumulative character and appearance impacts identified by the Planning Inspector has been materially overcome.

Similarly, this review has identified no substantive evidence addressing the practical operation of the site's sole means of access during severe winter weather, nor any assessment of how the site's challenging topography may influence the everyday experience of a broad range of future residents, including older people, families with young children, wheelchair users and those with reduced mobility. In particular, no objective evidence has been identified demonstrating that Salesbury View - the development's only means of vehicular access - has been assessed during severe winter conditions, despite documented evidence of hazardous winter conditions on Salesbury View and the acknowledged importance of this route for residents, visitors, deliveries, refuse collection and emergency services. These matters do not oppose housing delivery. Rather, they relate directly to whether the development would create a place that is genuinely sustainable, inclusive and capable of functioning successfully throughout its lifetime.

Good planning is not simply about delivering homes; it is about delivering homes in places that people can access safely, occupy comfortably and enjoy throughout changing stages of life. The planning system seeks to create successful places, not simply increase dwelling numbers.

Since the submission of this application, the Government has announced its decision on Local Government Reorganisation within Lancashire. Whilst this administrative change is not, of itself, material to the planning merits of the proposal, it reinforces the continuing distinction between the predominantly rural character of Ribble Valley and the more urban East Lancashire conurbation to the east. Salesbury View therefore continues to represent an important transition between these differing settlement characteristics, consistent with the Inspector's assessment of the site's role at the settlement edge.

The Inspector's decision of 5 February 2025 was reached following a full planning balance undertaken in the policy context that applied at that time. The December 2024 National Planning Policy Framework has subsequently increased the weight to be afforded to housing delivery, but it has not removed the requirement for proposals to be well-designed, contextually appropriate, accessible and sustainable.

The critical question for the current application is therefore not whether greater weight should now be afforded to housing delivery, but whether the revised policy context, together with the physical amendments to the scheme, is sufficient to overcome the specific harms previously identified by the Inspector. It is this question that has formed the focus of this review.

Chapter 9 – Overall Conclusion & Closing Statement

9.1 Overall Conclusions

Having completed a paragraph-by-paragraph review of the Planning Inspector's Decision, examined the submitted application documents and considered the revised planning policy context, this Independent Technical Planning Review reaches the following conclusions:

- The revised application incorporates a number of targeted amendments intended to address specific concerns identified by the Planning Inspector.
- Those amendments have resulted in refinement of the proposal but do not constitute a fundamental redesign of the development.
- The majority of the supporting technical evidence remains substantially unchanged from that previously considered at appeal.
- The proposal continues to rely upon extensive engineering intervention to facilitate development across the site's challenging topography.
- The cumulative impacts upon character, appearance and landscape identified by the Planning Inspector have not been objectively demonstrated to have been overcome.
- No objective evidence has been identified demonstrating that the practical implications of the site's sole means of access or challenging topography have been comprehensively assessed from the perspective of inclusive, everyday use.
- Whilst national planning policy places increased emphasis upon housing delivery, it continues to require development to be well-designed, sustainable and appropriate to its context.

Accordingly, based upon the evidence reviewed, this assessment does not identify sufficient objective evidence to justify reaching a different planning conclusion from that reached by the Planning Inspector.

Whilst the planning policy context has evolved since the appeal decision, the evidence reviewed does not demonstrate that the specific harms previously identified (either individually or cumulatively) have been sufficiently overcome to justify a different overall planning balance.

9.2 Closing Statement

This report has not sought to revisit the principle of residential development on the site, nor to advocate either approval or refusal of the application.

Its purpose has been to independently examine whether the evidence submitted in support of the revised proposal objectively demonstrates that the Planning Inspector's previous concerns have been overcome.

Where evidence demonstrated that concerns had been addressed, that has been acknowledged.

Where evidence was absent, incomplete or failed to demonstrate that previously identified harm had been overcome, this has likewise been recorded.

The conclusions presented are therefore based upon the planning evidence submitted in support of the current application and the objective findings arising from its detailed technical review.

The decision as to the weight to be afforded to that evidence remains a matter for Ribble Valley Borough Council's Planning Committee.

Appendix A - Application Document List

Application [3/2025/0801](#)

[Planning Application - Ribble Valley Borough Council](#)

Proposed erection of new residential development comprising 80 new homes, including 30% affordable housing, open space and associated infrastructure.

1. 25 0801 3rd Party Rep 10Feb
2. 25 0801 3rd Party Rep 13Jan
3. 25 0801 3rd party response 111225
4. 25 0801 3rd party response 111225
5. 25 0801 3rd party response 120226
6. 25 0801 3rd party response 171225
7. 25 0801 3rd party response 24nov25
8. 25 0801 Adoption Statement
9. 25 0801 Amended Arboricultural Impact Assessment 1apr26
10. 25 0801 Amended Arboricultural Impact Assessment P.2258.25C 15May26
11. 25 0801 Amended BNG Report 1apr26
12. 25 0801 Amended BNG Report V4 5jan26
13. 25 0801 Amended Design and Access Statement 1apr26
14. 25 0801 Amended Design and Access Statement P12 5jan26
15. 25 0801 Amended Document Tracker 1apr26

16. 25 0801 Amended Drainage Layout Sheet 1 P05 1apr26
17. 25 0801 Amended Drainage Layout Sheet 2 P05 1apr26
18. 25 0801 Amended External Works Sheet 1 P03 1apr26
19. 25 0801 Amended External Works Sheet 2 P03 1apr26
20. 25 0801 Amended External Works Sheet 3 P01 1apr26
21. 25 0801 Amended External Works Sheet 4 P01 1apr26
22. 25 0801 Amended External Works Sheet 5 P01 1apr26
23. 25 0801 Amended Flood Risk Assessment P12 1apr26
24. 25 0801 Amended Landscape Masterplan RevL1apr26
25. 25 0801 Amended Landscape Visual Assessment App A to C V9 5jan26
26. 25 0801 Amended Landscape Visual Assessment V9 5jan26
27. 25 0801 Amended Landscape Visual Impact Assessment 1apr26
28. 25 0801 Amended Landscape Visual Impact Assessment 2 1apr26
29. 25 0801 Amended Plan and Longitudinal Section Sheet 24 As Built RevB 5jan26
30. 25 0801 Amended Plan and Longitudinal Section Sheet 25 As Built RevB 5jan26
31. 25 0801 Amended Plan and Longitudinal Section Sheet 26 As Built RevB 5jan26
32. 25 0801 Amended Plan and Longitudinal Section Sheet 27 As Built RevB 5jan26
33. 25 0801 Amended Plan and Longsections Sheet 24 RevA 5jan26
34. 25 0801 Amended Plan and Longsections Sheet 25 RevA 5jan26
35. 25 0801 Amended Proposed Affordable Plan 1apr26
36. 25 0801 Amended Proposed Affordable Plan Rev P11 5jan26

37. 25 0801 Amended Proposed Bin and Cycle Storage Plan Rev P11 5jan26
38. 25 0801 Amended Proposed Bin Cycle Storage Plan 1apr26
39. 25 0801 Amended Proposed Boundary Treatment Plan 1apr26
40. 25 0801 Amended Proposed Boundary Treatments Plan Rev P12 5jan26
41. 25 0801 Amended Proposed Chimney Location Plan 1apr26
42. 25 0801 Amended Proposed Chimney Location Plan Rev P11 5jan26
43. 25 0801 Amended Proposed EV Charging Plan 1apr26
44. 25 0801 Amended Proposed EV Charging Plan Rev P11 5jan26
45. 25 0801 Amended Proposed Materials Plan 1apr26
46. 25 0801 Amended Proposed Materials Plan Rev P10 5jan26
47. 25 0801 Amended Proposed PV Plan 1apr26
48. 25 0801 Amended Proposed PV Plan Rev P11 5jan26
49. 25 0801 Amended Proposed Sectional Elevations 1apr26
50. 25 0801 Amended Proposed Site Layout 1apr26
51. 25 0801 Amended Proposed Site Layout Coloured 1apr26
52. 25 0801 Amended Proposed Site Layout Coloured P12
53. 25 0801 Amended Proposed Site Layout Coloured Rev P9 5jan26
54. 25 0801 Amended Proposed Site Layout P28
55. 25 0801 Amended Proposed Site Layout Rev P25 5jan26
56. 25 0801 Amended Proposed Site Sections 1apr26
57. 25 0801 Amended Proposed Site Sections 2 1apr26

- 58. 25 0801 Amended Proposed Site Sections Rev P6 5jan26
- 59. 25 0801 Amended Proposed Storey Height Plan 1apr26
- 60. 25 0801 Amended Proposed Storey Height Plan Rev P11 5jan26
- 61. 25 0801 Amended Retaining Wall Sections 1apr26 1apr26
- 62. 25 0801 Amended Retaining Wall Sections C01 15May26
- 63. 25 0801 Amended Schematic Drainage Layout Sheet 1 P12 5jan26
- 64. 25 0801 Amended Schematic Drainage Layout Sheet 2 P13 5jan26
- 65. 25 0801 Amended Schematic Finished Levels Sheet 2 Rev P10 5jan26
- 66. 25 0801 Amended Schematic Finished Levels Sheet Rev P10 5jan26
- 67. 25 0801 Amended Transport Assessment 1apr26
- 68. 25 0801 Amended Transport Assessment Rev 07 5jan26
- 69. 25 0801 Amended Travel Plan Rev 06 5jan26
- 70. 25 0801 Amended Wilpshire Travel Plan 1apr26
- 71. 25 0801 Application Form
- 72. 25 0801 Arboricultural Impact Assessment
- 73. 25 0801 Blackburn with Darwen Council Comments 29jan26
- 74. 25 0801 BNG Report
- 75. 25 0801 Committee Report
- 76. 25 0801 Cover Letter 5jan26
- 77. 25 0801 Crime Impact Statement
- 78. 25 0801 Design and Access Statement part 1 P11

- 79. 25 0801 Design and Access Statement part 2 P11
- 80. 25 0801 Design and Access Statement part 3 P11
- 81. 25 0801 Design and Access Statement part 4 P11
- 82. 25 0801 Design and Access Statement part 5 P11
- 83. 25 0801 Economic Benefits Statement
- 84. 25 0801 Economic Benefits Statement
- 85. 25 0801 Existing Flow Plan P01
- 86. 25 0801 Existing Site Plan P1
- 87. 25 0801 Explanation of key changes 1apr26
- 88. 25 0801 Flood Risk Assessment P10
- 89. 25 0801 Gas response 141125
- 90. 25 0801 Greenfield Runoff Rate 5jan26
- 91. 25 0801 highway comments 8Dec
- 92. 25 0801 Highways 26Jan
- 93. 25 0801 Housetypes part 1 P4
- 94. 25 0801 Housetypes part 2 P4
- 95. 25 0801 Housetypes part 3 P4
- 96. 25 0801 HSE Response
- 97. 25 0801 HSE Response 1
- 98. 25 0801 Illustrative Site Sections P3
- 99. 25 0801 Landscape and Visual Impact Assessment Part 1

- 100. 25 0801 Landscape and Visual Impact Assessment Part 2
- 101. 25 0801 Landscape and Visual Impact Assessment Part 3
- 102. 25 0801 Landscape and Visual Impact Assessment Part 4
- 103. 25 0801 Landscape and Visual Impact Assessment Part 5
- 104. 25 0801 Landscape Masterplan
- 105. 25 0801 LCC Schools 13May
- 106. 25 0801 LCC Schools 2Feb
- 107. 25 0801 LCC Schools Response
- 108. 25 0801 LLFA response 020426
- 109. 25 0801 LLFA response 041225
- 110. 25 0801 LLFA response 080126
- 111. 25 0801 LLFA Response 19Jan
- 112. 25 0801 Modified Flow Routes P01
- 113. 25 0801 NHS response 261125
- 114. 25 0801 Parish Ramsgreave 2Dec
- 115. 25 0801 Parish Wilpshire 27Nov
- 116. 25 0801 Parish Wilpshire 30Nov
- 117. 25 0801 Parish Wilpshire 5Feb26
- 118. 25 0801 Phase II Ground Investigation Report
- 119. 25 0801 Planning Statement
- 120. 25 0801 Preliminary Contamination Risk Assessment Part 1

- 121. 25 0801 Preliminary Contamination Risk Assessment Part 2
- 122. 25 0801 Preliminary Contamination Risk Assessment Part 3
- 123. 25 0801 Preliminary Ecological Report Report
- 124. 25 0801 Proposed Affordable Plan P9
- 125. 25 0801 Proposed Bin and Cycle Storage Plan P9
- 126. 25 0801 Proposed Boundary Treatment Plan P10
- 127. 25 0801 Proposed Chimney Location Plan P9
- 128. 25 0801 Proposed EV Charging Plan P9
- 129. 25 0801 Proposed Materials Plan P9
- 130. 25 0801 Proposed PV Plan P9
- 131. 25 0801 Proposed Sectional Elevations P2
- 132. 25 0801 Proposed Site Layout Coloured P7
- 133. 25 0801 Proposed Site Layout P19
- 134. 25 0801 Proposed Site Sections 2 P1
- 135. 25 0801 Proposed Site Sections P5
- 136. 25 0801 Proposed Storey Height Plan P9
- 137. 25 0801 Response to LLFA 210687 EDGE XX XX CO C 0001 P05 8jan26
- 138. 25 0801 S106 Draft Heads of Terms
- 139. 25 0801 Salesbury Trial Hole Location Plan 5jan26
- 140. 25 0801 Schematic Catchment Plan P01
- 141. 25 0801 Schematic Cut and Fill Sheet 1 P05

- 142. 25 0801 Schematic Cut and Fill Sheet 2 P05
- 143. 25 0801 Schematic Drainage Layout Sheet 1 P10
- 144. 25 0801 Schematic Drainage Layout Sheet 2 P11
- 145. 25 0801 Schematic Finished Levels Sheet 1 P08
- 146. 25 0801 Schematic Finished Levels Sheet 2 P08
- 147. 25 0801 Site Location Plan P4
- 148. 25 0801 Statement of Community Engagement 2025
- 149. 25 0801 SUDS Pro Forma
- 150. 25 0801 Transport Assessment
- 151. 25 0801 Travel Plan
- 152. 25 0801 United Utilities 17Feb
- 153. 25 0801 United Utilities 19May
- 154. 25 0801 United Utilities response 111225
- 155. 25 0801 Updated response 150426
- 156. 25 0801 Utility Assessment Report
- 157. 25 0801 UU Response P01 5jan26
- 158. 25 0801 Water Efficiency Statement
- 159. 25 0801 x 10 3rd Party Reps 2Dec
- 160. 25 0801 x 10 3rd party responses 041225
- 161. 25 0801 x 11 3rd party responses 041225
- 162. 25 0801 x 11 3rd party responses 261125

- 163. 25 0801 x 12 3rd party responses 041225
- 164. 25 0801 x 12 3rd party responses 111225
- 165. 25 0801 x 12 3rd party responses 111225
- 166. 25 0801 x 13 3rd party responses 111225
- 167. 25 0801 x 13 3rd party responses 111225
- 168. 25 0801 x 14 3rd party responses 041225
- 169. 25 0801 x 15 111225
- 170. 25 0801 x 16 3rd party responses 121225
- 171. 25 0801 x 16 3rd party responses 121225
- 172. 25 0801 x 3 3rd party responses 111225
- 173. 25 0801 x 3 3rd party responses 111225
- 174. 25 0801 x 3 3rd party responses 111225
- 175. 25 0801 x 4 3rd party responses 121225
- 176. 25 0801 x 7 3rd Party Reps 24Nov
- 177. 25 0801 x 8 3rd party responses 111225
- 178. 25 0801 x 8 3rd party responses 201125
- 179. 25 0801 x 8 3rd party responses 201125
- 180. 25 0801 x1 3rd Party Rep 28April
- 181. 25 0801v1 3rd party response 111225

Application 3/2023/0614

Planning Application - Ribble Valley Borough Council

Applications for full consent

Proposed erection of new residential development comprising 84 new homes, including 30% affordable housing, open space and associated infrastructure.

182. 23 0164 Amend Landscape Masterplan 14Feb

183. 23 0614 Decision Notice.docx

184. 23 0614 Delegated Report.docx

185. 23 0614 23 0614 Response to Highways Comments

186. 23 0614 3rd Party Rep 25Sept

187. 23 0614 3rd Party Representation 21Feb

188. 23 0614 3rd Party Reps x2 6Feb

189. 23 0614 3rd party response 070923

190. 23 0614 3rd party response 081123

191. 23 0614 3rd party response 130923

192. 23 0614 3rd party response 191023

193. 23 0614 Adoption Statement

194. 23 0614 Amend AIA 12Jan

195. 23 0614 Amend Colour Sections 11123

196. 23 0614 Amend Coloured Layout 14Feb

197. 23 0614 Amend Design and Access 14Feb

- 198. 23 0614 Amend FRA 12Jan
- 199. 23 0614 Amend Landscape Visual Impact Assess 14Feb
- 200. 23 0614 Amend LVIA Appendix C 14Feb
- 201. 23 0614 Amend LVIA Appendix D 14Feb
- 202. 23 0614 Amend Planning Statement 14Feb
- 203. 23 0614 Amend Prop Bin & Cycle Storage Plan 12Jan
- 204. 23 0614 Amend Prop Chimney Location Plan 12Jan
- 205. 23 0614 Amend Proposed Affordable Plan 12Jan
- 206. 23 0614 Amend Proposed Boundary Treatment Plan 12Jan
- 207. 23 0614 Amend Proposed EV Charging Plan 12Jan
- 208. 23 0614 Amend Proposed Materials Plan 12Jan
- 209. 23 0614 Amend Proposed PV Plan 12Jan
- 210. 23 0614 Amend Proposed Site Layout 11123
- 211. 23 0614 Amend Proposed Site Layout 12Jan
- 212. 23 0614 Amend Proposed Storey Height Plan 12Jan
- 213. 23 0614 Amend Schematic Drainage Layout 1 12Jan
- 214. 23 0614 Amend Schematic Drainage Layout 2 12Jan
- 215. 23 0614 Amend Schematic Drainage Layout Sheet 111233
- 216. 23 0614 Amend Schematic External Works 1 12Jan
- 217. 23 0614 Amend Schematic External Works 2 12Jan
- 218. 23 0614 Amend Sections Combined 14Feb

- 219. 23 0614 Amend Transport Assessment 12Jan
- 220. 23 0614 Amend Tree Protection Plan 12Jan
- 221. 23 0614 Amend Wilpshire Travel Plan 12Jan
- 222. 23 0614 Amended Catchment Analysis 1 24apr24
- 223. 23 0614 Amended Catchment Analysis 2 24apr24
- 224. 23 0614 Amended Coloured Layout Plan 11apr24
- 225. 23 0614 Amended Design and Access Statement11apr24
- 226. 23 0614 Amended Drainage Layout P02 24apr24
- 227. 23 0614 Amended Exceedance Route 24apr24
- 228. 23 0614 Amended Flood Risk Assessment 24apr24
- 229. 23 0614 Amended Landscape Masterplan RevC 4apr24
- 230. 23 0614 Amended Landscape Masterplan RevD 17apr24
- 231. 23 0614 Amended LLFA Response 24apr24
- 232. 23 0614 Amended Longitudinal Sections 1 P02 15aug24
- 233. 23 0614 Amended Longitudinal Sections 2 P02 15aug24
- 234. 23 0614 Amended Longitudinal Sections 3 P02 15aug24
- 235. 23 0614 Amended Proposed Affordable Plan P3 11apr24
- 236. 23 0614 Amended Proposed Bin Cycle Plan P3 11apr24
- 237. 23 0614 Amended Proposed Chimney Plan P3 11apr24
- 238. 23 0614 Amended Proposed EV Charging Plan P3 11apr24
- 239. 23 0614 Amended Proposed Materials Plan P3 11apr24

- 240. 23 0614 Amended Proposed PV Plan P3 11apr24
- 241. 23 0614 Amended Proposed Site Layout P5 11apr24
- 242. 23 0614 Amended Proposed Site Layout P6 15aug24
- 243. 23 0614 Amended Proposed Storey Height Plan P3 11apr24
- 244. 23 0614 Amended Proposes Boundary Treatment Plan P4 11apr24
- 245. 23 0614 Amended Visibility Splay 4apr24
- 246. 23 0614 Appeal Decision
- 247. 23 0614 Appeal Form
- 248. 23 0614 Appeal Statement of Case
- 249. 23 0614 Appeal Statement of Case 2
- 250. 23 0614 Appeal Statement of Case Design
- 251. 23 0614 Appeal Statement of Case Landscape
- 252. 23 0614 Application Form
- 253. 23 0614 Blackburn and Darwen Council 6Nov
- 254. 23 0614 Cadent Gas maps
- 255. 23 0614 Cadent Gas response
- 256. 23 0614 Colour Sections 18Aug
- 257. 23 0614 Crime Impact Statement Jul23
- 258. 23 0614 Design and Access Statement
- 259. 23 0614 Drainage Plan 1
- 260. 23 0614 Drainage Plan 2

- 261. 23 0614 Ecology Report
- 262. 23 0614 Economic Benefits Report
- 263. 23 0614 Education response
- 264. 23 0614 education response 11124
- 265. 23 0614 External Works Sheet 1
- 266. 23 0614 External Works Sheet 2
- 267. 23 0614 Fire response
- 268. 23 0614 Flood Risk Assess 111233
- 269. 23 0614 Flood Risk Assessment
- 270. 23 0614 Greenfield Runoff 8mar24
- 271. 23 0614 Hazardous Pipeline details
- 272. 23 0614 Highway Sections 1 4apr24
- 273. 23 0614 Highway Sections 2 4apr24
- 274. 23 0614 Highways response 080923
- 275. 23 0614 House Types 8aug23
- 276. 23 0614 HSE Response
- 277. 23 0614 Land Contamination Report 1
- 278. 23 0614 Land Contamination Report 2
- 279. 23 0614 Landscape Masterplan Jul23
- 280. 23 0614 LLFA
- 281. 23 0614 LLFA 13May

- 282. 23 0614 LLFA response
- 283. 23 0614 LLFA response 5Feb24
- 284. 23 0614 LLFA Response 8mar24
- 285. 23 0614 Location Plan
- 286. 23 0614 Longitudinal Sections 1 4apr24
- 287. 23 0614 Longitudinal Sections 2 4apr24
- 288. 23 0614 Longitudinal Sections 3 4apr24
- 289. 23 0614 LVIA Jul23
- 290. 23 0614 Neighbour Notification
- 291. 23 0614 Parish
- 292. 23 0614 Parish
- 293. 23 0614 Parish response 150224
- 294. 23 0614 Planning Statement
- 295. 23 0614 Proposed Affordable Plan
- 296. 23 0614 Proposed Bin Cycle Storage Plan
- 297. 23 0614 Proposed Boundary Treatment Plan
- 298. 23 0614 Proposed Chimney Location Plan
- 299. 23 0614 Proposed EV Charging Plan
- 300. 23 0614 Proposed Materials Plan
- 301. 23 0614 Proposed PV Plan
- 302. 23 0614 Proposed Sectional Elevations

- 303. 23 0614 Proposed Site Layout
- 304. 23 0614 Proposed Site Layout 4apr24
- 305. 23 0614 Proposed Site Layout Coloured
- 306. 23 0614 Proposed Storey Height Plan
- 307. 23 0614 Proposed Volume 8mar24
- 308. 23 0614 Refuse Vehicle tracking plan
- 309. 23 0614 Response to Highways 11apr24
- 310. 23 0614 Road Restraint Risk Assess 010224
- 311. 23 0614 Street Scenes
- 312. 23 0614 Swept Path Analysis 3apr24
- 313. 23 0614 Transport Assessment
- 314. 23 0614 Travel Plan
- 315. 23 0614 Tree Impact Report Jul 22
- 316. 23 0614 Tree Protection Plan
- 317. 23 0614 United Utilities response 140923
- 318. 23 0614 United Utilities response 200923
- 319. 23 0614 Utility Assessment Report
- 320. 23 0614 Water Efficiency Statement
- 321. 23 0614 x 14 3rd party reps
- 322. 23 0614 x 16 3rd party responses 080923
- 323. 23 0614 x 2 3rd party responses

- 324. 23 0614 x 2 3rd party responses 240823
- 325. 23 0614 x 3 3rd party responses 080923
- 326. 23 0614 x 4 3rd party response 121023
- 327. 23 0614 x 4 3rd party responses 080923
- 328. 23 0614 x6 3rd Party Reps 12Sept
- 329. 23 0614 x8 3rd party Reps 210923
- 330. 23 0614a 3rd party response 191023
- 331. 23 0614x10 3rd party response 070923
- 332. 23 0614x13 3rd party response 070923
- 333. 23 0614x8 3rd party response 070923

Application 3/2022/0115

[Planning Application - Ribble Valley Borough Council](#)

Applications for full consent

Proposed erection of new residential development comprising 99 new homes, including 30% affordable housing, open space and associated infrastructure.

334. 22 0115 Officer Report Committee 01122022.doc

335. 22 0115 3rd Party rep 2609

336. 22 0115 3rd Party Reps

337. 22 0115 3rd Party Reps

338. 22 0115 3rd Party Reps

339. 22 0115 3rd party reps

340. 22 0115 3rd Party Reps

341. 22 0115 3rd Party Reps

342. 22 0115 3rd Party Reps

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344. 22 0115 3rd Party Reps

345. 22 0115 3rd Party Reps

346. 22 0115 3rd Party Reps

347. 22 0115 3rd Party Reps

348. 22 0115 3rd party Reps 181022

349. 22 0115 3rd party response

350. 22 0115 3rd party response

351. 22 0115 3rd party response

352. 22 0115 3rd party response

353. 22 0115 3rd party response

354. 22 0115 3rd party response

355. 22 0115 3rd party response x 4

356. 22 0115 3rd party response x 4

357. 22 0115 3rd party response x 4

358. 22 0115 3rd party response x 6

359. 22 0115 3rd party responses

360. 22 0115 3rd party responses

361. 22 0115 3rd party responses

362. 22 0115 3rd party responses

363. 22 0115 3rd party responses

364. 22 0115 3rd party responses

365. 22 0115 3rd party responses

366. 22 0115 3rd party responses

367. 22 0115 3rd party responses

368. 22 0115 3rd party responses

369. 22 0115 3rd party responses

370. 22 0115 3rd party responses

- 371. 22 0115 4 X 3RD PARTY RESPONSES
- 372. 22 0115 AAIA and Method Statement 150722
- 373. 22 0115 Accommodation Schedule 171122
- 374. 22 0115 Adoption Statement
- 375. 22 0115 Amend AIA statement 080922
- 376. 22 0115 Amend Colour Layout 2410
- 377. 22 0115 Amend design access 080922
- 378. 22 0115 Amend House types 2410
- 379. 22 0115 Amend materials plan 080922
- 380. 22 0115 Amend Planning Layout 1611
- 381. 22 0115 Amend Planning Layout 2410
- 382. 22 0115 Amend Tree prot plan 080922
- 383. 22 0115 Amend Tree protection plan 150722
- 384. 22 0115 Application Form
- 385. 22 0115 Arboricultural Assessment
- 386. 22 0115 Boundary Treatment Plan
- 387. 22 0115 Cadent Gas
- 388. 22 0115 Cadent Gas Map
- 389. 22 0115 Colour Technical Layout 150722
- 390. 22 0115 Construction Details
- 391. 22 0115 Countryside response

- 392. 22 0115 Crime Impact Statement
- 393. 22 0115 cross sections plan 080922
- 394. 22 0115 density plan 080922
- 395. 22 0115 Design Statement
- 396. 22 0115 Drainage Layout 1
- 397. 22 0115 Drainage Layout 2
- 398. 22 0115 Ecological Survey
- 399. 22 0115 Economic Benefits Report
- 400. 22 0115 Education response
- 401. 22 0115 Existing Site Layout
- 402. 22 0115 Fire Safety Response
- 403. 22 0115 Flood Risk Assessment
- 404. 22 0115 Gas response
- 405. 22 0115 Gas response
- 406. 22 0115 Highways response
- 407. 22 0115 Highways response 130422
- 408. 22 0115 Highways response 241122
- 409. 22 0115 House Types
- 410. 22 0115 HSE Advice
- 411. 22 0115 Illustrative Site Sections
- 412. 22 0115 Landscape Assessment

- 413. 22 0115 Landscape Proposals 1
- 414. 22 0115 Landscape Proposals 2
- 415. 22 0115 Landscape Proposals 3
- 416. 22 0115 letter to LCC from Parish council
- 417. 22 0115 LLFA
- 418. 22 0115 LLFA response
- 419. 22 0115 Location Plan
- 420. 22 0115 Materials Plan
- 421. 22 0115 Neighbour Notification
- 422. 22 0115 Neighbour Notification 161122
- 423. 22 0115 NHS response
- 424. 22 0115 OS Plan
- 425. 22 0115 parameter plan 080922
- 426. 22 0115 Parish 2311
- 427. 22 0115 Parish Ramsgreave
- 428. 22 0115 Parish Wilpshire
- 429. 22 0115 Phase 1 Contamination Report
- 430. 22 0115 Phase 2 Ground Investigation
- 431. 22 0115 Planning Statement
- 432. 22 0115 Site Transport Assessment
- 433. 22 0115 Statement of Community

434. 22 0115 Street scenes site sections 171122

435. 22 0115 Swept path analysis 150722

436. 22 0115 Technical Layout Colour

437. 22 0115 Technical Layout Plan

438. 22 0115 Traffic count 150722

439. 22 0115 Travel Plan

440. 22 0115 Tree and Root Survey

441. 22 0115 Tree Protection Plan

442. 22 0115 Tree Survey

443. 22 0115 United Utilities response

444. 22 0115 Utility Assessment

445. 22 0115 Water Efficiency Statement

446. 22 0115 x4 3rd party responses

447. 22 0115 x4 3rd party responses

448. 22 0115 x5 2111

449. 22 0115 x5 3rd party responses

Appendix B - Inspector's Decision Document - Research Schedule

Paragraph 3

Inspector's Point

3. I visited the appeal site, accompanied, on 7 January 2025. The residents of 3 Wilpshire Banks, 4 Whalley Road and 6 Whalley Road also requested that I view the appeal site from their property, and I was able to do so on my site visit. However, due to inclement weather on that day, I carried out a further unaccompanied visit to the wider environs on 14 January in order to obtain optimal views of the site from public viewpoints, including public rights of way.

Summary

The Inspector considered weather conditions sufficiently poor on 7 January 2025 to justify a second site visit in order to properly assess the site from public viewpoints.

Initial thoughts

- The Inspector records that inclement weather affected her first site visit. Was this simply poor visibility, or did the steep topography and access constraints also influence what could reasonably be assessed?
- Local residents at the parish council have photographs showing the hazardous conditions on Salesbury View during snow and ice.
- Salesbury View has an approximate gradient of 1:12, with no alternative vehicular access into the development.
- If the access road becomes impassable during severe weather, residents, visitors and emergency services may all be affected.
- I do not believe winter operation of the access was specifically examined within the highway assessment.

General Observation:

The Inspector records that inclement weather affected her first site visit. It would be useful to understand whether this related solely to visibility or whether the site's steep topography and access constraints also influenced what could reasonably be assessed. Residents at the parish council have photographs showing the hazardous conditions on Salesbury View during snow and ice. Salesbury View has an approximate gradient of 1:12, there is no alternative vehicular access into the development, and I do not believe winter operation of the access was specifically considered as part of the highway assessment.

Additional Research Questions

Winter operation

- Did the Highway Authority consider winter conditions or only dry-weather vehicle tracking?
- Is Salesbury View included on Lancashire County Council's precautionary gritting network?
- Is there any evidence within the Transport Assessment that winter resilience has been considered?
- Has emergency service access during snow and ice been assessed?
- Is there an alternative means of access should Salesbury View become impassable?

Inspector's site visit

- Was the Inspector's second visit undertaken solely because of visibility, or did weather also affect accessibility?
- Do any of the application documents acknowledge the implications of steep gradients during adverse weather?
- Has the applicant demonstrated that the site's only means of access can operate safely throughout the year?

Principal question:

Has the applicant demonstrated that the site's only means of vehicular access can operate safely throughout the year, including periods of severe winter weather, for residents, visitors and emergency services?

Status ●

Paragraph 4

Inspector's Point

4. A new version of the National Planning Policy Framework (the Framework) came into effect in December 2024. Accordingly, for the purposes of this decision I have referred to the latest version of the Framework. The main parties have been given the opportunity to comment on the revised Framework. Therefore, I am satisfied that no one would be prejudiced by this change to the national policy context.

Summary

The Inspector confirms that the appeal was determined against the December 2024 National Planning Policy Framework (NPPF) and is satisfied that all parties had the opportunity to comment on the revised policy position.

Initial Thoughts

- Explore the December 2024 NPPF – are there policies that support the neighbours' case as well as housing delivery?
- Increased housing delivery cannot automatically override every other planning consideration.
- What are the legal limits of the Government's increased housing agenda?
- Does the "tilted balance" mean landscape, design and residential amenity carry less weight, or simply that they are balanced differently?
- How has the December 2024 NPPF changed since the previous appeal?
- Which policy changes, if any, are actually relevant to this appeal?

Additional Research Questions

National Planning Policy Framework

- Which paragraphs of the December 2024 NPPF are directly relevant to this appeal?
- Have any policies relating to design quality, landscape character, accessibility or residential amenity materially changed?
- Does the revised NPPF place greater emphasis on housing delivery than the previous version?
- Does the revised Planning Statement accurately explain the policy changes?

Planning Balance

- What is the current legal position regarding the "tilted balance" where a local authority cannot demonstrate a five-year housing land supply?
- Which planning considerations continue to carry full weight despite the housing shortfall?
- Does national policy require permission to be granted where identified harms remain unacceptable?
- Has the applicant relied upon the housing shortfall to justify impacts that the Inspector previously found unacceptable?

External Research

- National Planning Policy Framework (December 2024)
- National Planning Practice Guidance (PPG)
- Relevant case law concerning the "tilted balance" and five-year housing land supply
- Current Ribble Valley housing land supply position

Principal Question

To what extent has the December 2024 NPPF, and Ribble Valley's current housing land supply position, altered the planning balance, and does this outweigh the Inspector's previous findings relating to character, appearance and landscape harm?

Status ●

Paragraph 5

Inspector's Point

5. During the appeal a planning obligation pursuant to s106 of the Town and Country Planning Act 1990 (as amended) (the Act) has been submitted. It includes obligations to come into effect if planning permission is granted. I return to this matter later in my decision.

Summary

The Inspector confirms that a Section 106 planning obligation was submitted during the appeal and that its significance is considered later in the decision.

Initial Thoughts

- Compare the appeal S106 with the current Heads of Terms.
- Have the planning obligations changed?
- The applicant relying on additional public benefits not previously considered?

Additional Research Questions

Section 106 Agreement

- Has the S106 package changed since the appeal?
- Are any additional obligations now proposed?
- Do any changes materially alter the planning balance?

Principal Question

Have the proposed planning obligations changed since the appeal in a way that materially affects the planning balance?

Status ●

Paragraph 6

Inspector's Point

6. Almost all the appeal site is allocated for housing in the Local Plan for Ribble Valley 2008-2028, Housing and Economic Development Plan Document, adopted 15 October 2019 (DPD). However, the red edge site boundary also encompasses unallocated land within the settlement boundary in the southern part of the site and part of land within the Green Belt in the south-eastern part of the site. These areas comprise very steeply sloping wooded land within which no development is proposed. The effect of the proposal on the Green Belt is not a reason for refusal in the decision notice. From the information available to me, I agree with both main parties that the proposal would not be inappropriate development in the Green Belt under the terms of the Framework. It would not be harmful to the openness of the Green Belt or to the purposes of including land within it. As such, I make no further reference to the site's partial location in the Green Belt in this decision.

Summary

The Inspector confirms that the majority of the site is allocated for housing within the adopted HED DPD. Although part of the application site lies within the Green Belt, no development is proposed in that area and the Green Belt was not identified as a reason for refusal.

Initial Thoughts

- Explore the HED DPD allocation process and level of public consultation.
- Was the site allocated on the basis of the current extent and form of development?
- Were the site's topography and access constraints fully understood during allocation?
- Were retaining walls, cut and fill, and engineering works anticipated?
- Does the undeveloped Green Belt still contribute to the wider landscape setting?

Additional Research Questions

Site Allocation

- What evidence supported allocation of the site within the HED DPD?
Were access, topography and landscape constraints considered during allocation?

- Was an indicative layout prepared as part of the allocation process?
- as the current proposal evolved beyond the assumptions made when the site was allocated?

Status ●

Paragraph 7

7. The main issue is the effect of the proposed development on the character and appearance of the area.

Summary

The Inspector identifies the principal issue against which the appeal is to be determined. Everything that follows in the decision is assessed in terms of the effect of the proposed development on the character and appearance of the area.

Initial Thoughts

- **THIS IS THE FUNDAMENTAL QUESTION/POINT.**
- Every subsequent paragraph should relate back to this main issue.
- Has the applicant demonstrated that the revised proposals overcome the Inspector's concerns?
- Are the changes supported by evidence or simply stated within the application documents?
- Does each amendment genuinely improve the character and appearance of the area?

Additional Research Questions

Character and Appearance

- What specific aspects of character and appearance did the Inspector identify as harmful?
- What changes has the applicant made in response?
- Is there objective evidence that those changes overcome the Inspector's concerns?
- Are there any concerns identified by the Inspector that have not been addressed?

Principal Question

Has the applicant demonstrated, through objective evidence, that the revised proposals overcome the Inspector's previous concerns regarding the character and appearance of the area?

Status ●

Paragraph 8

Inspector's Point

8. The appeal site comprises parcels of steeply sloping open fields and grazing land on the edge of the settlement Wilpshire. The southern part of the site has particularly steep and heavily wooded gradients and includes Knotts Brook, part of which forms the administrative boundary with Blackburn with Darwen Borough Council, beyond which is residential development. To the north and west is residential development. The eastern boundary predominantly comprises of a low drystone wall and timber post and wire fence, beyond which the land continues to rise and comprises open agricultural fields within the Green Belt.

Summary

The Inspector describes the site's existing context, emphasising its steep topography, wooded southern boundary, surrounding residential development, relationship with the Green Belt and the site's rural edge-of-settlement character.

Initial Thoughts

- The Inspector immediately highlights the site's steep topography.
- The southern part of the site is described as "particularly steep".
- Has the revised scheme reduced its reliance on engineering works?
- Has the relationship with the Green Belt changed?
- Has the edge-of-settlement character been better respected?
- Does the revised proposal sit more comfortably within the existing landscape?

Additional Research Questions

Site Context

- Have the site's physical characteristics changed?
- Have the proposed engineering works (retaining walls, cut and fill, level changes) been reduced?
- Does the revised proposal better respond to the steep topography?
- Has the relationship with the Green Belt changed?
- Has the treatment of the eastern boundary changed?
- Does the revised Landscape Masterplan better reflect the site's existing landscape character?

Principal Question

Has the applicant demonstrated that the revised proposals respond more successfully to the site's existing topography, landscape character and edge-of-settlement location?

Status ●

Paragraph 9

Inspector's Point

9. The site falls significantly in level from the highest point in the north-east corner down towards the rear of properties along Salesbury View to the west and to the wooded Knotts Brook to the south. Two distinct interspersed rows of trees separate parcels of land within the site. In addition, high voltage power lines traverse the southern part of the site in an east west direction with two pylons located on the site. A Public Right of Way¹ (PRoW 25) runs through the wooded section of Green Belt land to the south and proceeds close to the eastern boundary of the site. The site would be accessed off Salesbury View, a relatively steep road that provides access to four properties along Salesbury View and to the rear of several properties along Whalley Road.

Summary

The Inspector identifies the site's principal physical constraints, including the significant changes in level, existing trees, overhead power lines and pylons, Public Right of Way and the site's sole vehicular access via the steep Salesbury View.

Initial Thoughts

- The Inspector again highlights the significant level changes across the site.
- Salesbury View is confirmed as the only vehicular access.
- Having visited the site, the access appears to be a much greater issue than first appreciated.
- The Parish Council have commissioned a separate Highways Report.
- Explore whether the revised proposals genuinely address the site's access constraints.
- Consider the relationship between the PRow, pylons, topography and the proposed development.

Additional Research Questions

Topography

- Have the significant level changes across the site been better addressed?
- Have the retaining walls, cut and fill operations and engineering works been reduced?
- Does the revised layout work more sympathetically with the existing landform?

Highways and Access

- Has the Highway Authority reconsidered the suitability of Salesbury View?
- Has the applicant demonstrated that Salesbury View can safely accommodate an 80-dwelling development?
- Has pedestrian accessibility been adequately considered?
- Has access for wheelchair users, mobility scooter users, families with prams and older residents been considered?
- Has emergency vehicle access been assessed?
- Has winter operation of the access been assessed?
- Does the separate Highways Report identify issues not addressed within the application?

Public Rights of Way and Landscape

- Has the relationship between the development and PRow 25 changed?
- Has the impact of the pylons and overhead lines been reduced?
- Do the revised proposals better respect the existing landscape features?

External Research

Independent Highways Report?

Principal Question

Has the applicant demonstrated that the revised proposals satisfactorily overcome the site's fundamental physical constraints, particularly the significant level changes, sole vehicular access via Salesbury View and the relationship with the Public Right of Way?

Status ●

Paragraph 10

Inspector's Point

10. Being located towards the edge of the settlement, the site is part of a transition zone between the rural edge and the more built-up part of the settlement. Due to the change in land levels, the site occupies a prominent position and is visible from numerous public viewpoints, including a network of roads and public rights of way in the surrounding countryside.

Summary

The Inspector identifies the site's three principal physical constraints: the significant change in levels across the site, the steep access via Salesbury View and the presence of overhead electricity pylons.

Initial Thoughts

- The Inspector identifies the site's steep topography as a defining characteristic.
- Salesbury View remains the only vehicular access into the development.

- Has the gradient of the access road been adequately addressed?
- Has accessibility for all users been considered?
- Has the relationship with the pylons materially changed?
- Have the proposed engineering works reduced?
- Does the revised scheme genuinely overcome these fundamental site constraints?

Additional Research Questions

Access

- Has the access arrangement changed since the appeal?
- Has the Highway Authority reconsidered Salesbury View?
- Has inclusive pedestrian access been assessed?
- Has emergency service access been assessed?
- Has winter operation of the access been assessed?
- Has access for older people, wheelchair users and families with young children been considered?

Topography

- Have the proposed level changes, retaining walls and cut and fill operations been reduced?
- Does the revised layout better respond to the existing landform?

Landscape

- Has the relationship with the overhead pylons changed?
- Has the visual prominence of the pylons been reduced?
- Have the revised proposals reduced the site's visual prominence within the landscape?

Principal Question

Has the applicant demonstrated that the revised proposals satisfactorily overcome the site's fundamental constraints, namely the steep topography, the single access via Salisbury View and the visual impact of the overhead electricity pylons?

Status ●

Paragraph 11

Inspector's Point

11. The layout has been largely dictated due to the constraint of the overhead power line, the site's topography, a large diameter water main and a row of trees that cross the site. The single access into the site runs westwards towards the centre of the site and sweeps almost 90 degrees to continue northwards, largely following the contour of the hillside to end in a cul-de-sac. Either side of the north section of the estate road would be split-level semi-detached and detached dwellings surrounded by landscaping to the boundaries of the site.

Summary

The Inspector confirms that the proposed layout is heavily constrained by the site's existing characteristics, including the overhead power lines, topography, water main and existing trees. These constraints largely dictate the road layout and disposition of the proposed dwellings.

Initial Thoughts

- The site's physical constraints have not changed.
- Has the layout materially changed since the appeal?
- Has the revised proposal reduced its reliance on engineering works?
- Does the road layout still largely follow the existing contours?
- Has the relationship between the proposed dwellings and the surrounding landscape improved?
- Is the amended layout genuinely less harmful to the character and appearance of the area?

Additional Research Questions

Layout and Design Response

- Has the overall layout materially changed since the appeal?
- Have the physical constraints been overcome or simply accommodated?
- Has the estate road alignment changed?
- Have the split-level dwellings reduced in prominence?
- Has the extent of cut and fill or retaining structures been reduced?
- Is there objective evidence that the revised layout responds more successfully to the site's constraints?

Principal Question

Has the applicant objectively demonstrated that the revised layout responds more successfully to the site's physical constraints and overcomes the Inspector's previous concerns regarding the character and appearance of the area?

Status ●

Paragraph 12

Inspector's Point

12. At the southern end of the site, a semi-circular crescent of detached dwellings would front an area of open space that follows the route of the overhead power line and includes an attenuation pond and play area. Two cul-de-sacs of dwellings sit centrally within the site and extend towards the east and west boundaries.

Summary

The Inspector describes the proposed layout at the southern end of the site, including a crescent of detached dwellings fronting open space beneath the overhead power line, together with the central arrangement of two cul-de-sacs extending towards the site boundaries.

Initial Thoughts

- The Inspector is describing the overall layout rather than reaching a judgement at this stage.

- Has the overall arrangement of the southern crescent and central cul-de-sacs changed in the revised proposal?
- Does the revised layout make more effective use of the open space beneath the overhead power line?
- Have the relationships between the cul-de-sacs and the eastern and western site boundaries changed?
- Does the revised layout reduce the need for engineering works in these areas?

Additional Research Questions

Site Layout

- Has the southern crescent of detached dwellings been retained or amended?
- Have the two central cul-de-sacs been altered since the appeal?
- Has the distribution of open space changed?
- Has the relationship between built development and the overhead power line changed?

Open Space and Design

- Does the revised scheme continue to locate the attenuation pond and play area beneath the overhead power line?
- Has the design or function of the open space been improved?
- Does the revised layout provide a better relationship between housing, open space and landscape features?

Principal Question

Has the applicant demonstrated that the revised layout of the southern part of the site, including the open space, detached dwellings and central cul-de-sacs, responds more successfully to the site's constraints and overall design objectives?

Status ●

Paragraph 13

Inspector's Point

13. Two pedestrian routes to PRoW 25 would be incorporated within the proposed layout as well as a pedestrian route linking the east and west parts of the site alongside an existing row of trees, which forms a further band of open space across the site. These linkages would allow permeability through the site and into the surrounding countryside.

Summary

The Inspector describes the proposed pedestrian network, including links to PRoW 25 and an east-west pedestrian route through the site. She notes that these connections would improve permeability through the development and provide access to the surrounding countryside.

Initial Thoughts

- Has the revised proposal retained or improved these pedestrian connections?
- Do the revised routes remain attractive, accessible and well integrated with the surrounding landscape?
- Has the relationship between the pedestrian routes, PRoW 25 and the site's engineering works changed?
- The Inspector identifies permeability as a positive feature of the layout.
- Permeability and accessibility are not synonymous.
- Does the application demonstrate that these routes are genuinely usable by all members of the community?
- Have gradients and level changes been fully considered?

Additional Research Questions

Pedestrian Connectivity

- Have the pedestrian links to PRoW 25 been retained or amended?
- Has the east-west pedestrian route changed?
- Does the revised layout maintain good permeability through the site?
- Are the pedestrian routes convenient, direct and clearly integrated into the development?

Inclusive Access

- Has the applicant demonstrated that the pedestrian network is usable by people of all ages and abilities?
- Do the gradients comply with recognised accessibility guidance?
- Are all key destinations reachable without excessive gradients, steps or barriers?
- Have wheelchair users, mobility scooter users and parents with pushchairs been considered?
- Does the Design and Access Statement explain how inclusive access has been achieved across this steeply sloping site?

Landscape and Public Rights of Way

- Has the relationship between the pedestrian routes and the existing tree belt changed?
- Does the revised Landscape Masterplan strengthen the green corridor through the site?
- Has the relationship with PRoW 25 improved?

Principal Question

Has the applicant demonstrated that the revised pedestrian network provides attractive, accessible and well-integrated connections through the site and to PRoW 25 while responding appropriately to the site's topography and landscape character?

Status ●

Paragraph 14

Inspector's Point

14. The layout allows for a mix of frontage and side parking, attached, detached and integral garages separated by frontage tree or hedge planting within front gardens. While Plots 12 to 17 rely on frontage parking, this would be a relatively short stretch of cul-de-sac located integrally within the overall site. It would not be readily apparent when viewed from outside the site or from the main internal access road and would not dominate the overall layout. Furthermore, following amendments and details of clarification during processing of the planning application, the Highway Authority have not raised an objection to the highway layout of the scheme.

Summary

The Inspector describes the proposed parking arrangement and concludes that the frontage parking serving Plots 12 to 17 would not dominate the overall layout. She also notes that, following amendments during the application process, the Highway Authority did not object to the highway layout of the scheme.

Initial Thoughts

- The Inspector considers the frontage parking to be an acceptable element of the overall layout.
- Has the revised parking arrangement changed?
- Has the relationship between parking, landscaping and the street scene improved?
- The Inspector refers specifically to the highway layout of the scheme.
- Did the Highway Authority's comments extend to the suitability of the existing approach via Salesbury View, or were they limited to the proposed internal highway layout?

Parking and Layout

- Has the parking arrangement changed since the appeal?
- Has the proportion of frontage parking been reduced or redistributed?
- Does the revised layout continue to ensure that parking does not dominate the street scene?
- Has the relationship between parking, garages and landscaping changed?

Highway Layout

- What aspects of the highway layout were clarified during the application process?
- Which amendments resulted in the Highway Authority withdrawing its concerns?
- Did the Highway Authority assess only the internal highway layout, or did it also consider the operation of the existing access via Salesbury View?
- Is there evidence that the Highway Authority considered the implications of the steep approach road?
- Has the revised application altered the access arrangements in any material way?

Principal Question

Has the applicant demonstrated that the revised parking and highway layout remain appropriate, and what was the scope of the Highway Authority's assessment when raising no objection to the highway layout of the scheme?

Status ●

Paragraph 15

Inspector's Point

15. Although separation distances between dwellings in the northern part of the site would be less generous than properties off Whalley Road to the west, they would be comparable to those between dwellings on Hollowhead Avenue and Beaver Close to the north. The linear form of development in this area also respects the contours of the site as is similarly the case along Hollowhead Avenue and Beaver Close, as well as the linear alignment of Whalley Road and the railway to the west of the site which run in a north/south direction. I saw other linear residential development at my site visit on the facing valley hillside at Paris, Waverley Road and Isle of Man. The proposed arrangement is therefore not uncommon in the area.

Summary

The Inspector accepts that separation distances in the northern part of the site would be less generous than some neighbouring properties but concludes that they are comparable to other nearby residential development. She finds that the proposed linear form of development reflects the site's contours and is consistent with the prevailing pattern of development in the surrounding area.

Initial Thoughts

- The Inspector concludes that the proposed layout reflects the established pattern of development in the locality.
- Has the revised proposal altered the spacing or arrangement of dwellings within the northern part of the site?
- Does the revised layout continue to respond appropriately to the site's contours?
- Have any changes affected the relationship between the proposed dwellings and neighbouring properties?
- Is the comparison with surrounding development still appropriate?

Additional Research Questions

Layout and Character

- Has the spacing between dwellings changed since the appeal?
- Does the revised layout retain the linear form identified by the Inspector?
- Does the revised proposal continue to reflect the surrounding pattern of development?
- Have any amendments altered the relationship between the proposed development and neighbouring properties?

Topography

- Does the revised layout continue to work with the site's natural contours?
- Have engineering works or level changes altered the relationship between the proposed layout and the landform?
- Has the applicant demonstrated that any changes to levels remain compatible with the surrounding character?

Local Context

- Have any amendments affected the Inspector's comparison with Hollowhead Avenue, Beaver Close, Whalley Road and the surrounding valley-side development?
- Is there evidence that the revised proposal remains consistent with the established character of the area?

Principal Question

Has the applicant demonstrated that the revised layout continues to reflect the established pattern of development and responds appropriately to the site's topography and surrounding character?

Status ●

Paragraph 16

Inspector's Point

16. The Council's concerns relating to the northern part of the site centre around the significant changes to landform. It is inevitable, due to the topography and geology of the site, that in order to achieve the proposed layout, significant earthworks and extensive retaining structures would be required.

Summary

The Inspector identifies the Council's principal concern regarding the northern part of the site, namely that the site's topography and geology require significant earthworks and extensive retaining structures to deliver the proposed layout.

Initial Thoughts

- The Inspector accepts that significant engineering works are an inevitable consequence of developing the site given the it's topography and geology.
- The requirement for extensive earthworks and retaining structures is a fundamental constraint of the site.
- The revised proposal does not appear to reduce these engineering requirements and may increase them.
- It may therefore be necessary to establish whether the revised scheme has addressed, or further intensified, the Council's original concerns regarding landform.
- Do the revised drawings demonstrate a reduction in engineering works, or do they indicate greater intervention than the appeal scheme?

Additional Research Questions

Landform and Engineering Works

- Have the proposed earthworks increased or decreased since the appeal?
- Have the extent, height or distribution of retaining structures changed?
- Have cut and fill operations been reduced?
- Do the revised proposals require additional engineering interventions?

Topography

- Does the revised layout respond more successfully to the site's topography?
- Has the applicant demonstrated that the revised landform can be accommodated without unacceptable visual effects?
- Have the revised finished levels altered the relationship between the development and surrounding land?

Evidence

- What changes have been made to the engineering strategy since the appeal?
- Do the revised drawings demonstrate a reduction in engineering works, or do they indicate that further intervention is required?
- Does the applicant explain why any increase in engineering works is necessary?

Principal Question

Has the applicant demonstrated that the revised proposal responds more successfully to the site's topography by reducing, or otherwise justifying, the extent of earthworks and retaining structures required to deliver the development?

Status ●

Paragraph 17

Inspector's Point

17. Consequently, the approach across the scheme would be to address levels within individual parcels in different ways, and in the northern area, split-level dwellings and gardens, along with landscaping where level changes would otherwise be particularly apparent. The appellant's evidence indicates that dwellings to the east of the northern access road would generally include a retaining structure along the rear garden boundary. Gardens to the west of the access road would be tiered and would incorporate, for the most-part, a retaining feature between the upper and lower gardens and between the lower garden and adjacent land.

Summary

The Inspector describes how the proposed development responds to the site's topography through split-level dwellings, tiered gardens, landscaping and retaining structures. She notes that retaining walls would form a key component of the engineering strategy throughout the northern part of the site.

Initial Thoughts

- The Inspector identifies retaining structures as a fundamental component of the proposed design rather than an isolated feature.
- The revised proposal continues to rely heavily on split-level development and retaining structures.
- Has the revised engineering strategy reduced or increased the reliance on retaining walls and tiered gardens?
- Have amendments altered the height, location or extent of the retaining structures?
- Does the revised proposal better integrate these engineering works into the landscape?

Additional Research Questions

Engineering Strategy

- Has the overall engineering approach changed since the appeal?
- Have the number, height or extent of retaining structures changed?
- Have split-level dwellings or tiered gardens increased or decreased?
- Does the revised proposal remain dependent on extensive land re-profiling?

Landscape Integration

- Has the landscaping strategy been amended to better integrate retaining structures?
- Is there sufficient space to establish meaningful planting around retaining walls?
- Do the revised proposals reduce the visual prominence of engineered landform?

Topography

- Have the revised finished levels altered the relationship between dwellings, gardens and adjacent land?
- Does the revised scheme demonstrate a more successful response to the site's topography?
- Has the applicant justified any increase in engineering works?

Principal Question

Has the applicant demonstrated that the revised engineering strategy provides a more successful response to the site's topography while reducing, or adequately justifying, the reliance on retaining structures and land re-profiling?

Status ●

Paragraph 18

Inspector's Point

18. The retaining structures and dwellings would be clearly visible, particularly in close views from properties to the west of the site on Wilpshire Banks where the dwellings would be at much higher land levels. It would take time for the proposed landscape buffers between these properties and the new dwellings to mature. Nonetheless, provided reasonable sized specimens were used within the landscaping scheme at the outset of planting, due to the distance, the visual appearance of the structures and dwellings would be lessened, as is the case with existing surrounding development. Should I be minded to allow the development this could be dealt with by the imposition of a suitably worded condition.

Summary

The Inspector accepts that the retaining structures and dwellings would initially be clearly visible, particularly from properties on Wilpshire Banks. However, she concludes that the visual impact would lessen over time through the establishment of landscape planting, and that appropriate landscaping could be secured by planning condition.

Initial Thoughts

- The Inspector accepts that the proposed engineering works would initially be visually prominent.
- His conclusion relies upon the successful establishment and long-term retention of landscape mitigation.
- Has the revised proposal altered the relationship between the retaining structures, dwellings and landscape buffers?
- Does the revised proposal remain dependent upon future planting to reduce visual impact?
- Is there sufficient evidence that the proposed landscape mitigation would be effective in both the short and long term?
- How secure is the proposed mitigation if it depends upon planting that may be affected by future management or changes within the development?

Additional Research Questions

Landscape Mitigation

- Has the landscape buffer changed since the appeal?
- Is sufficient space available to establish meaningful landscape screening?
- Have the proposed planting widths, species or buffer depths changed?
- Does the revised Landscape Masterplan demonstrate how effective screening would be achieved?

Long-term Effectiveness

- Does the revised application explain how the landscape mitigation will be established and maintained?
- What assumptions have been made regarding the maturity and effectiveness of the proposed planting?
- Are the retaining structures likely to remain visually prominent before the planting matures?
- Is the effectiveness of the mitigation dependent upon future management or replacement planting?

Planning Conditions

- What landscaping condition did the Inspector envisage?
- Does the revised proposal provide sufficient detail for such a condition to be effective?
- How would the long-term maintenance and replacement of planting be secured?

External Research

- Landscape mitigation and long-term planting guidance (only if required following document review).

Principal Question

Has the applicant demonstrated that the proposed landscape mitigation would realistically reduce the visual impact of the retaining structures and dwellings over both the short and long term, and that this mitigation can be effectively secured and maintained?

Status ●

Paragraph 19

Inspector's Point

19. Notwithstanding the above, higher retaining structures would be constructed within other areas of the site close to the boundaries where it has not been clearly demonstrated there would be sufficient space to accommodate landscaping to screen the structure and/or the proposed dwellings. This would particularly be evident to the rear of several plots.

Summary

The Inspector distinguishes these areas from those discussed previously, finding that in some parts of the site there is insufficient evidence to demonstrate that adequate landscaping could be provided to screen higher retaining structures and proposed dwellings close to the site boundaries.

Initial Thoughts

- The Inspector identifies a limitation to the proposed landscape mitigation.
- His concern is evidential: it has not been clearly demonstrated that sufficient space exists for effective landscaping.
- This represents a significant qualification to the conclusions reached in Paragraph 18.
- I suspect this remains a fundamental issue. The revised drawings should be examined to establish whether sufficient space for meaningful landscape mitigation has genuinely been achieved.
- Has the revised proposal increased or reduced the available landscape buffer in these locations?
- Does the revised application now demonstrate that meaningful landscape screening can be achieved?
- Have the revised engineering works altered the relationship between retaining structures, dwellings and the site boundaries?

Additional Research Questions

Landscape Buffers

- Have the landscape buffers adjacent to the site boundaries changed since the appeal?
- Is sufficient width now available to accommodate meaningful planting?
- Have planting proposals been strengthened or revised?

- Do the revised drawings clearly demonstrate how retaining structures would be screened?

Retaining Structures

- Have the height, extent or location of retaining structures changed?
- Have any retaining structures moved closer to the site boundaries?
- Does the revised proposal reduce reliance on boundary retaining walls?

Evidence

- What evidence has the applicant provided to demonstrate that effective landscape screening can be achieved?
- Do the revised Landscape Masterplan and sections support that conclusion?
- Does the revised Landscape and Visual Impact Assessment explain how these previously identified concerns have been addressed?

Principal Question

Has the applicant demonstrated that sufficient space exists to provide effective landscape screening around the retaining structures and proposed dwellings where they are located close to the site boundaries?

Status ●

Paragraph 20

Inspector's Point

20. From the evidence available, in order to ensure an acceptable road gradient, the proposed two storey dwelling at Plot 7 would be approximately 5m above the land level at the boundary of the site with the rear garden of 22 Whalley Road (No 22), and would include a 3m high retaining structure with a close boarded fence above. I observed the tall evergreen trees along this boundary are located within the garden of No 22 and their retention cannot therefore be guaranteed to screen the proposed development. Although two silver birch trees are located within the appeal site close to this boundary, the appellant's arboriculture information identifies these would be removed to facilitate the retaining structure requirements. As such, I find the limited separation to the boundary in combination with the proposed tall retaining feature and level difference to the dwelling on Plot 7 would result in a cramped and incongruous layout in this part of the site, out of character with the prevailing building pattern.

Summary

The Inspector concludes that the relationship between Plot 7 and No. 22 Whalley Road would be unacceptable. She finds that the significant level difference, retaining structure, close-boarded fence, limited separation distance and loss of existing trees would create a cramped and incongruous form of development that would be out of character with the surrounding area.

Initial Thoughts

- This is one of the Inspector's principal findings of harm.
- The Inspector identifies a combination of factors rather than a single design issue.
- Has the revised proposal altered the relationship between Plot 7 and No. 22 Whalley Road?
- Have the retaining structure, finished levels or separation distances been amended?
- Does the revised proposal still rely upon vegetation outside the applicant's control to soften or screen the development?
- Does this issue remain elsewhere within the revised proposal, even if Plot 7 has been amended?
- Do the revised application documents explain how the Inspector's concerns have been addressed, and is that explanation supported by the drawings?

Additional Research Questions

Plot 7

- Has Plot 7 been repositioned or redesigned?
- Have the finished levels changed?
- Has the retaining wall been reduced in height?
- Has the separation distance to No. 22 increased?
- Have the proposed boundary treatments changed?

Landscape and Trees

- Does the revised proposal continue to rely upon planting outside the applicant's control?
- Have replacement planting proposals changed?
- Has the arboricultural strategy altered?
- Are trees within the application site still proposed for removal to facilitate engineering works?

Wider Design Implications

- Have similar relationships elsewhere in the development been amended?
- Does the revised proposal continue to create comparable relationships between retaining structures, boundaries and neighbouring properties?
- Do the revised drawings demonstrate that this specific concern has been overcome?

Principal Question

Has the applicant demonstrated that the revised proposal overcomes the Inspector's specific concerns regarding Plot 7, and have similar issues elsewhere within the scheme also been addressed?

Status ●

Paragraph 21

Inspector's Point

21. Turning to Plot 28, the proposed plans indicate a 2m and 3m high retaining structure surrounding the curved rear/side garden of Plot 28 with the driveway for Plot 11 adjacent at lower level, together with an additional screen fence/wall above. On the basis of this information, this could result in an overbearingly high boundary feature which would be highly visible forward of the building line of Plots 7 to 11 and would face towards a pedestrian route and open space.

Summary

The Inspector identifies concerns regarding the relationship between Plots 28 and 11, concluding that the proposed retaining structures and boundary treatment could create an overbearing and visually prominent feature adjacent to the public realm.

Initial Thoughts

- The Inspector identifies another specific example where the engineering solution results in unacceptable visual effects.
- The concern relates to the cumulative impact of retaining walls, boundary treatment and changes in level rather than a single feature.
- Has Plot 28 been amended, and if so, do those amendments satisfactorily address the Inspector's concerns?
- Is this issue specifically discussed within the applicant's revised reports and supporting documents?
- Do similar relationships remain elsewhere within the revised proposal?
- Does the revised proposal reduce the prominence of the retaining structures when viewed from the pedestrian route and adjoining open space?

Additional Research Questions

Plot 28

- Has Plot 28 been repositioned or redesigned since the appeal?
- Have the retaining structures been reduced in height or extent?
- Has the relationship between Plot 28, Plot 11 and the adjoining pedestrian route changed?
- Have the proposed boundary treatments been amended?

Engineering and Levels

- Have the finished levels around Plot 28 been altered?
- Have the retaining walls and associated fencing been redesigned?
- Does the revised proposal reduce the cumulative height of engineered features?

Public Realm

- Does the revised proposal improve the relationship between the development and the adjacent pedestrian route?
- Has the visual impact on the adjoining open space been reduced?
- Do the revised drawings demonstrate that this part of the development is no longer overbearing?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement specifically explain how the Inspector's concerns regarding Plot 28 have been addressed?
- Does the Explanation of Key Changes identify amendments to this area of the site?
- Are those changes supported by the revised drawings and sections?

Principal Question

Has the applicant demonstrated that the revised proposals overcome the Inspector's concerns regarding Plot 28, and do the revised engineering works and boundary treatments provide an acceptable relationship with the surrounding public realm?

Status ●

Paragraph 22

Inspector's Point

22. Plots 54, 64 and 65 would be sited close to the central eastern boundary of the site and the land re-profiled with tall retaining features to accommodate the plots. However, the layout would fail to provide a sufficient landscape belt to define the settlement edge and provide an appropriate transition between built development and the open countryside in this area. PRoW 25 runs along the boundary of the site directly parallel with these plot boundaries on the opposite side of the drystone boundary wall. Due to the small gap, extensive earthworks and the abrupt change in levels, there would be limited opportunity to provide meaningful landscaping in this area, a highly sensitive part of the site.

Summary

The Inspector concludes that Plots 54, 64 and 65 would create an unacceptable relationship with the eastern site boundary. She finds that the combination of extensive earthworks, tall retaining structures and limited space would prevent the provision of a meaningful landscape belt between the development and the adjoining countryside and PRoW 25.

Initial Thoughts

- The Inspector identifies another specific area where the proposed engineering works result in unacceptable landscape and visual effects.
- His concern is not limited to the retaining structures but extends to the failure to create an appropriate settlement edge.

- Have Plots 54, 64 and 65 been amended, and if so, do those amendments satisfactorily address the Inspector's concerns?
- Is this part of the site specifically discussed within the applicant's revised reports and supporting documents?
- Do the revised proposals now provide a meaningful landscape buffer between the development, PRoW 25 and the open countryside?
- Has the revised engineering strategy reduced the extent of earthworks and retaining structures in this highly sensitive location?

Additional Research Questions

Plots 54, 64 and 65

- Have these plots been repositioned, redesigned or removed?
- Have the finished levels or retaining structures been amended?
- Has the relationship with the eastern boundary changed?

Landscape Buffer

- Has the width of the landscape belt increased?
- Is sufficient space now available to establish meaningful planting?
- Does the revised Landscape Masterplan demonstrate a stronger transition between the development and the open countryside?
- Does the revised proposal better define the settlement edge?

PRoW 25

- Has the relationship between the development and PRoW 25 improved?
- Have the revised proposals reduced the visual impact experienced by users of PRoW 25?
- Does the revised proposal continue to rely on limited planting within a constrained corridor?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement specifically explain how the Inspector's concerns regarding this part of the site have been addressed?

- Does the Explanation of Key Changes identify amendments affecting Plots 54, 64 and 65?
- Are those changes reflected in the revised layout, sections and landscape proposals?

Principal Question

Has the applicant demonstrated that the revised proposals overcome the Inspector's concerns regarding Plots 54, 64 and 65 by providing an appropriate landscape buffer, reducing the impact of engineering works and creating a satisfactory transition between the development, PRoW 25 and the open countryside?

Status ●

Paragraph 23

Inspector's Point

23. Whilst gardens and driveways that incorporate retaining features are evident along Wilpshire Banks and Whalley Road, I observed these assimilated within the landscape due to set backs from the road and/or stepped retaining features. That would not be the case relating to the above plots, which would be more prominent. I also observed the harmful effect that significant sized retaining walls have at the interface between urban and rural area where there is an absence of a landscape buffer, as I saw at 22 and 24 Hollowhead Avenue.

Summary

The Inspector distinguishes the proposed development from existing examples of retaining structures in the area. She concludes that, unlike those examples, the proposed retaining walls would be more visually prominent due to the lack of setbacks and landscape buffering, and notes that she observed comparable harmful effects at 22 and 24 Hollowhead Avenue.

Initial Thoughts

- The Inspector accepts that retaining walls can be accommodated successfully where they are assimilated into the landscape.
- His concern is the prominence of the proposed retaining structures and the absence of an effective landscape buffer.
- Have the relevant plots been amended, and if so, do those amendments satisfactorily address the Inspector's concerns?
- Is this issue specifically discussed within the applicant's revised reports and supporting documents?
- Do the revised proposals now provide sufficient setbacks or landscape buffering to distinguish them from the appeal scheme?

- Can the Inspector's comparison with 22 and 24 Hollowhead Avenue be explored further to understand the harm she identified?

Additional Research Questions

Retaining Structures

- Have the retaining walls associated with the relevant plots been reduced in height, extent or prominence?
- Have setbacks or stepped retaining features been introduced?
- Does the revised proposal better assimilate the retaining structures into the surrounding landscape?

Landscape Buffer

- Has the landscape buffer been widened or strengthened?
- Does the revised Landscape Masterplan demonstrate a more effective transition between the built development and the countryside?
- Is there now sufficient planting to reduce the visual prominence of the retaining structures?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement specifically address the Inspector's findings in this paragraph?
- Does the Explanation of Key Changes identify amendments intended to overcome these concerns?
- Are those amendments reflected consistently within the revised drawings and landscape proposals?

Comparative Assessment

- What characteristics of the retaining walls at 22 and 24 Hollowhead Avenue led the Inspector to conclude they caused harm?
- Are photographs or other publicly available planning documents available to illustrate the Inspector's comparison?
- Does the revised proposal now more closely resemble the successful examples on Wilpshire Banks and Whalley Road, or does it continue to resemble the harmful relationship identified at Hollowhead Avenue?

External Research

- Publicly available planning records or site photographs relating to 22 and 24 Hollowhead Avenue (if available and relevant).

Principal Question

Has the applicant demonstrated that the revised proposal overcomes the Inspector's concerns regarding the prominence of the retaining structures by providing a more effective landscape buffer and a relationship with the surrounding area that is comparable to the successful local examples?

Status ●

Paragraph 24

Inspector's Point

24. The Council claim the landscape buffer to the rear of Plots 3 to 6 is insufficient and I recognise that the rear gardens on these proposed plots would require a retaining feature between 2.5m and 3m high. However, due to the generous size of the garden of No 22 and the single storey scale of the dwellings on these plots, I consider the separation distance between the retaining structures and the boundary in this location, which is less steep than other parts of the site, would be acceptable.

Summary

The Inspector acknowledges the Council's concerns regarding the retaining structures serving Plots 3 to 6 but concludes that, in this location, the combination of generous separation distances, the large rear garden to No. 22, the single-storey scale of the proposed dwellings and the less steep topography would make the relationship acceptable.

Initial Thoughts

- The Inspector distinguishes this part of the site from the areas she previously found unacceptable.
- His conclusion depends upon several factors acting together rather than the retaining structures alone.
- Have Plots 3 to 6 been amended, and if so, do those amendments preserve the characteristics that led the Inspector to find this relationship acceptable?
- Is this area specifically discussed within the applicant's revised reports and supporting documents?
- Have the separation distances, dwelling heights, finished levels or retaining structures changed?
- Would the Inspector's conclusion still be justified if any of these characteristics have altered?

Additional Research Questions

Plots 3 to 6

- Have Plots 3 to 6 been repositioned or redesigned?
- Have the proposed dwelling heights changed?
- Have the retaining structures changed in height, location or extent?
- Have the finished levels been altered?

Relationship with No. 22

- Has the separation distance to No. 22 changed?
- Does the revised proposal retain the generous relationship identified by the Inspector?
- Have any changes increased the prominence of the development when viewed from No. 22?

Engineering and Topography

- Has the engineering strategy in this area changed?
- Does this part of the site remain less steep than the areas considered in Paragraphs 20–23?
- Have amendments altered the balance of factors that led the Inspector to conclude this relationship was acceptable?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement explain any changes affecting Plots 3 to 6?
- Does the Explanation of Key Changes identify amendments within this part of the site?
- Are any amendments reflected consistently within the revised layout, sections and finished level drawings?

Principal Question

Has the applicant demonstrated that the revised proposals retain the combination of design, topographical and separation characteristics that led the Inspector to conclude this part of the development would be acceptable?

Status ●

Paragraph 26

Inspector's Point

26. Policy DMG1 of the Core Strategy 2008-2028, A Local Plan for Ribble Valley, adopted December 2024 (CS) states that in determining planning applications particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.

Summary

The Inspector identifies Policy DMG1 as a key policy in determining the appeal, noting that it places particular emphasis on visual appearance, the relationship of development to its surroundings and its impact on landscape character.

Initial Thoughts

- The Inspector places significant weight on Policy DMG1 when assessing the proposal.
- Character, appearance and landscape impact remain central considerations in the decision.
- Is Policy DMG1 still the applicable development plan policy for determining the revised application?
- If not, what policy now applies instead?
- Have the policy requirements materially changed since the appeal decision?
- Has the applicant assessed the revised proposals against the correct development plan policy?
- If the policy wording has changed, could that materially affect the planning balance?

Additional Research Questions

Development Plan

- Does Policy DMG1 remain part of the adopted Development Plan?
- If not, what policy has replaced or superseded it?
- What does the current policy say instead?

- When did any replacement policy come into force?
- Is the revised application being determined under the same development plan as the appeal?

Policy Requirements

- Have the requirements relating to character and appearance changed?
- Have the requirements relating to landscape character changed?
- Has the emphasis placed upon visual impact altered?
- Have any new design, placemaking or landscape requirements been introduced?
- Does the revised policy place greater or lesser weight upon landscape integration?

Applicant's Assessment

- Does the revised Planning Statement identify the correct policy framework?
- Has the applicant explained how the revised proposals comply with the current policy?
- Are the Inspector's previous findings still relevant under the current policy framework?
- If policy has changed, does the applicant explain why those changes support the revised proposal?

Planning Balance

- Would any change in development plan policy materially alter the Inspector's assessment of character and appearance?
- Do the Inspector's conclusions remain equally relevant under the current policy framework?
- Are there any new policy considerations that should now be taken into account?

External Research

- Current Development Plan for Ribble Valley Borough Council.
- Current wording of Policy DMG1 or any policy that has replaced or superseded it.
- Adoption details for the current Local Plan (if different from that considered by the Inspector).

Principal Question

Does the revised application accord with the current development plan policy relating to character, appearance and landscape, and have any policy changes materially altered the planning considerations since the appeal decision?

Status ●

Paragraph 27

Inspector's Point

27. There is a distinction to be made between impact on landscape, which should be treated as a resource, and impact on visual amenity, which is the effect on people observing the development in places where the development can be viewed, such as villages, roads, public rights of way and individual dwellings.

Summary

The Inspector distinguishes between landscape effects, relating to the landscape itself as a resource, and visual effects, relating to the experience of people viewing the development from surrounding locations.

Initial Thoughts

- The Inspector distinguishes between landscape character and visual amenity.
- The decision focuses on the experience of people **observing** the development.
- Does the revised proposal also adequately consider the experience of people who will use, access and live within the development?
- Has the wider impact on accessibility, inclusivity and people's day-to-day experience of the site been properly considered?
- Do current planning policy and national guidance place greater emphasis on health, wellbeing and inclusive places than at the time of the appeal?
- Could these considerations now form part of the overall planning balance?

Additional Research Questions

Landscape and Visual Effects

- Does the revised Landscape and Visual Impact Assessment continue to distinguish between landscape effects and visual effects?
- Have the revised proposals altered either assessment?

Health, Wellbeing and Inclusive Design

- Do current national planning policy and guidance place greater emphasis on creating healthy, inclusive and accessible places?
- Has the applicant considered the effect of the site's topography on everyday movement and accessibility for all users?
- Has the relationship between the steep gradients, retaining structures and pedestrian movement been assessed from the perspective of future residents as well as external observers?
- Do the revised proposals support inclusive access for older people, wheelchair users, mobility scooter users, parents with pushchairs and others with limited mobility?

Planning Policy

- Has the current Planning Statement addressed health, wellbeing and inclusive design?
- Have any changes to national or local planning policy strengthened expectations regarding accessible and inclusive communities?
- Does the revised proposal demonstrate compliance with those expectations?

External Research

- Current National Planning Policy Framework.
- National Planning Practice Guidance relating to design, healthy places and inclusive environments.
- Current development plan policies relating to health, wellbeing and inclusive design (if applicable).

Principal Question

Has the applicant demonstrated that the revised proposal responds not only to landscape and visual considerations but also to the current expectations for healthy, inclusive and accessible places?

Status ●

Paragraph 28

Inspector's Point

28. The site lies within the Lancashire Character Type 7: Farmed ridges and 7a: Mellor Ridge as defined by 'A Landscape Strategy for Lancashire', dated 2000 (LS). Because the site comprises the rounded ridge profiles and valley slopes of mixed farmland and woodland, it exhibits key features characteristic of this semi-rural landscape type and contributes positively to the wider appearance of the area.

Summary

The Inspector identifies the site's landscape character, noting that it forms part of the Lancashire Character Type 7: Farmed Ridges and 7a: Mellor Ridge. She concludes that the site's landform, woodland and agricultural character make a positive contribution to the wider semi-rural landscape.

Initial Thoughts

- The Inspector identifies the existing landscape as making a positive contribution to the character of the wider area.
- Landscape character forms an important part of the Inspector's assessment from this point onwards.
- Is the Lancashire Landscape Strategy still the relevant landscape evidence for determining the revised application?
- If not, what landscape evidence or guidance now applies instead?
- Has the applicant reassessed the site's landscape character using the current policy and evidence base?
- Does the revised proposal better conserve the site's existing landscape character than the appeal scheme?

Additional Research Questions

Landscape Character

- Does the revised Landscape and Visual Impact Assessment continue to rely upon the Lancashire Landscape Strategy?
- Has the site's landscape character been reassessed?
- Have any changes been made to the landscape baseline since the appeal?

Current Guidance

- Is 'A Landscape Strategy for Lancashire' (2000) still the principal landscape character assessment?
- Has any updated Landscape Character Assessment or Landscape Character Evidence been adopted?
- If so, does it alter the description or significance of this landscape character type?

Revised Proposal

- Does the revised proposal retain more of the site's defining landscape characteristics?
- Have the revised engineering works altered the site's relationship with the surrounding landform?
- Does the revised proposal better respond to the rounded ridge profile and valley slopes identified by the Inspector?

Applicant's Assessment

- Do the revised Landscape and Visual Impact Assessment and Planning Statement specifically address the Inspector's findings regarding landscape character?
- Have the applicant's conclusions regarding landscape character changed since the appeal?
- Are those conclusions supported by the revised drawings and landscape proposals?

External Research

- *A Landscape Strategy for Lancashire* (2000).
- Current Lancashire Landscape Character Assessment or any updated landscape character guidance (if applicable).
- Current Development Plan landscape policies (if relevant).

Principal Question

Has the applicant demonstrated that the revised proposal responds appropriately to the site's landscape character, and is the assessment based upon the current landscape evidence and policy framework?

Status ●

Paragraph 29

Inspector's Point

29. However, the site is close to the edge of Wilpshire near to houses and businesses, and consequently its overall landscape character includes the nearby urban landscape.

Summary

The Inspector acknowledges that, although the site has a semi-rural landscape character, it also forms part of the transition between the countryside and the built-up edge of Wilpshire. Its landscape character is therefore influenced by the adjoining urban environment.

Initial Thoughts

- The Inspector identifies the site as a transition between urban and rural character.
- The existence of nearby development does not remove the need to protect landscape character.
- Has the revised proposal achieved a more appropriate transition between the settlement edge and the open countryside?
- Has the relationship between the development and the surrounding urban edge changed?
- Do the revised proposals better reflect the site's transitional character?

Additional Research Questions

Settlement Edge

- Has the revised proposal improved the transition between the built form and the open countryside?
- Has the relationship between the development and the surrounding landscape changed?
- Does the revised Landscape Masterplan strengthen the settlement edge?

Character

- Does the revised proposal better integrate the development into its surroundings?
- Have the revised engineering works altered the relationship between the site and the wider landscape?
- Has the applicant demonstrated that the revised proposals respond appropriately to the site's mixed urban and rural character?

Applicant's Assessment

- Do the revised Landscape and Visual Impact Assessment or Planning Statement specifically address the site's transitional character?
- Has the applicant explained how the revised proposals respond to this important interface?

Principal Question

Has the applicant demonstrated that the revised proposal provides an appropriate transition between the existing urban edge of Wilpshire and the surrounding rural landscape?

Status ●

Paragraph 30

Inspector's Point

30. The appellant's Landscape Character and Visual Impact Assessment⁵ (LCVIA) focusses upon the visual effect from key receptors in the surrounding area and concludes that views of the site are contained and limited to locations within close proximity with wider views generally restricted by vegetation and existing development.

Summary

The Inspector summarises the appellant's Landscape Character and Visual Impact Assessment (LCVIA), noting that it concludes views of the site are generally contained and limited, with wider views largely restricted by existing vegetation and surrounding development.

Initial Thoughts

- The Inspector is summarising the appellant's evidence rather than endorsing its conclusions.
- Are we justified in accepting the LCVIA's conclusions, or should they be independently tested?
- What evidence within the LCVIA supports the assertion that views are generally contained and limited?
- Have the revised proposals altered the visibility of the development?
- Do the submitted drawings, photomontages and viewpoints support the conclusions reached by the LCVIA?

- The Inspector later reaches his own conclusions regarding landscape and visual effects, which should be compared against the applicant's assessment.

Additional Research Questions

Landscape and Visual Impact Assessment

- What evidence does the LCVIA rely upon to conclude that views are generally contained?
- Which viewpoints support that conclusion?
- Are any viewpoints omitted or under-represented?
- Does the revised LCVIA reach the same conclusions?

Visual Evidence

- Do the submitted photomontages and visualisations support the conclusions of the LCVIA?
- Are there viewpoints where the visual effects appear greater than described?
- Have additional viewpoints been included within the revised application?
- Are the effects from PRoW 25, Wilpshire Banks and surrounding residential properties fully represented?

Applicant's Assessment

- Does the revised Planning Statement continue to rely upon the LCVIA's conclusions?
- Has the applicant acknowledged the Inspector's criticisms elsewhere in the appeal decision?
- Has the revised proposal materially altered the visibility of the development?

Principal Question

Has the applicant demonstrated, through robust and proportionate evidence, that views of the site remain contained and limited, and are the conclusions of the revised Landscape and Visual Impact Assessment supported by the submitted visual evidence?

Status ●

Paragraph 31

Inspector's Point

31. The proposal would represent a significant change in character from a largely open, grassed site intersected by two distinct rows of trees with woodland along the southern edge to an estate-type housing development that would occupy a large part of the site. The dwellings would be plainly visible from the surrounding area and would represent a substantial incursion of development into the countryside. It is clear the development of houses on the site would inevitably change the otherwise open pastoral character of this greenfield site. Change arising from development is not synonymous with that equating to harm and change of this nature would be an inevitable consequence of developing the site in accordance with the allocation.

Summary

The Inspector acknowledges that the proposal would fundamentally alter the existing character of the site from open pastoral land to residential development. However, she concludes that such change is an inevitable consequence of developing an allocated housing site and should not automatically be regarded as harmful.

Initial Thoughts

- This is a key paragraph in the Inspector's overall reasoning.
- The Inspector accepts that the proposal would fundamentally change the site's character.
- She distinguishes between inevitable change and unacceptable planning harm.
- Have the applicants genuinely overcome the concerns identified by the Inspector, or does the revised proposal still result in the same fundamental change to the hillside landscape?
- My suspicion is that the underlying constraints remain unchanged because the site is still a steep hillside.
- Which drawings and visual evidence should be reviewed to establish whether the revised proposal materially changes the Inspector's assessment?
- Has the revised proposal reduced the extent of engineering works, visual prominence or landscape intrusion?

Additional Research Questions

Landscape Character

- Does the revised proposal retain more of the site's existing pastoral character?
- Has the extent of built development changed?
- Does the revised proposal reduce the perceived encroachment into the countryside?
- Has the relationship between the development and the existing woodland and tree belts changed?

Visual Assessment

- Do the revised visualisations demonstrate a material reduction in visual impact?
- Have the revised proposals reduced the prominence of development when viewed from surrounding roads, PRow 25 and neighbouring properties?
- Do the revised photomontages support the applicant's conclusions?

Drawings to Review

- Do the Amended Proposed Site Layout drawings demonstrate a materially different development footprint?
- Do the Proposed Site Sections, Retaining Wall Sections and Finished Levels demonstrate a reduction in engineering works?
- Does the Landscape Masterplan provide a stronger settlement edge and landscape transition?
- Does the Landscape and Visual Impact Assessment demonstrate that the revised proposal responds more successfully to the site's landscape character?

Applicant's Assessment

- Do the revised Planning Statement and Design & Access Statement explain how the Inspector's findings in this paragraph have been addressed?
- Is there evidence that the revised proposal materially alters the Inspector's conclusions regarding landscape character?

Principal Question

Has the applicant demonstrated that the revised proposal materially reduces the landscape and visual effects identified by the Inspector, or does it continue to result in the same fundamental change to the site's character despite the amendments?

Status ●

Paragraph 32

Inspector's Point

32. The plans show a built housing envelope of development stepped back from the boundaries of the site, with landscaping, including retention and enhancement of an existing row of trees crossing east to west on the site, along with increased landscaping to form buffers to the boundaries on the northern part of the site. A large area of public open space including trees and an attenuation pond would break up the mass of development. While the development's size and scale would still result in an urban incursion into the countryside and would expand the settlement, I saw that creeping development on valley slopes is a common feature of the area.

Summary

The Inspector acknowledges that the proposed landscaping, open space and retained tree belt would help break up the development. Whilst recognising that the scheme would extend the settlement into the countryside, she concludes that similar incremental development on valley slopes is a common characteristic of the surrounding area.

Initial Thoughts

- The Inspector identifies several design measures intended to reduce the visual impact of the development.
- She nevertheless accepts that the proposal would represent an urban extension into the countryside.
- The Inspector concludes that similar development on valley slopes is a common feature of the locality.
- This is likely to be a key argument relied upon by the applicant.
- Does the current evidence still support that conclusion?
- Has the revised proposal genuinely strengthened the landscape buffers and settlement edge, or does it continue to rely upon the same reasoning as the appeal scheme?

- Can the Inspector's observations regarding surrounding valley-side development be independently verified?

Additional Research Questions

Landscape Mitigation

- Have the landscape buffers been widened or strengthened?
- Has the existing east-west tree belt been retained and enhanced?
- Has the public open space changed in size or function?
- Do the revised proposals better break up the mass of development?

Settlement Edge

- Has the revised proposal improved the transition between the settlement and the countryside?
- Does the revised Landscape Masterplan provide a stronger landscape framework?
- Have engineering works altered the effectiveness of the proposed landscape buffers?

Comparative Assessment

- Is creeping development on valley slopes genuinely a common characteristic of the surrounding area?
- What evidence supports the Inspector's observation?
- Are there examples where development has been designed differently or where stronger landscape buffers have been achieved?
- Does the revised Landscape and Visual Impact Assessment rely upon this comparison, and if so, is it supported by objective evidence?

Applicant's Response

- Do the revised Design and Access Statement, Planning Statement or Landscape and Visual Impact Assessment specifically address this aspect of the Inspector's reasoning?
- Have the applicants explained how the revised proposals improve upon the appeal scheme?
- Are those changes evident within the revised drawings and visual evidence?

External Research

- Landscape character evidence relating to valley-side development within the local area (if required following review of the application documents).
- Publicly available aerial photography and street-level imagery to compare surrounding valley-side development patterns (if required).

Principal Question

Has the applicant demonstrated that the revised proposal provides a more appropriate landscape transition and settlement edge, and does the available evidence continue to support the Inspector's conclusion that comparable valley-side development is a common characteristic of the area?

Status ●

Paragraph 33

Inspector's Point

33. The site benefits from being immediately adjacent to the settlement boundary but the steep slope of the site means that rows of dwellings would step up the hillside and reveal the full depth of development. Nevertheless, it is contained, to a large extent to the west and north by existing residential development, and to the south, by a belt of woodland. The development would be seen in its wider context with the surrounding built development, the overhead power line and intervening vegetation. Views of the upper shoulder and ridge of the hill as it rises to the east would still be obtainable when viewed from high land along surrounding public rights of way and houses on the opposite valley slope.

Summary

The Inspector acknowledges that the site's steep topography would expose the full depth of the proposed development. However, she concludes that the site benefits from containment by existing development, woodland and other landscape features, and that important views of the upper hillside would remain available.

Initial Thoughts

- The Inspector accepts that the full depth of the development would be visible because of the site's steep topography.
- She nevertheless concludes that the development would be viewed within its wider landscape context.
- The Inspector relies upon the continued availability of views towards the upper shoulder and ridge of the hillside.

- Is this still the case in the revised proposal?
- Have the revised proposals altered the extent to which the upper hillside remains visible?
- Has the revised development increased the visual prominence of built form on the hillside?
- Does the revised proposal continue to sit comfortably within its wider landscape setting?

Additional Research Questions

Views and Visual Containmentment

- Do the revised proposals continue to preserve views of the upper shoulder and ridge of the hill?
- Has the visibility of the development from surrounding public rights of way changed?
- Has the relationship between the development and the skyline altered?
- Do the revised proposals increase the apparent depth or massing of development on the hillside?

Landscape Context

- Does the surrounding woodland continue to provide effective containment?
- Has the relationship with the overhead power line and existing vegetation changed?
- Does the revised proposal remain visually read alongside the existing settlement?

Visual Evidence

- Do the revised photomontages, viewpoints and verified views support the applicant's conclusions?
- Are the views from surrounding public rights of way and the opposite valley side fully represented?
- Do the visualisations demonstrate that important views of the upper hillside have been retained?

Applicant's Response

- Do the revised Landscape and Visual Impact Assessment or Planning Statement specifically explain how the revised proposal responds to the Inspector's findings in this paragraph?

- Have the applicants demonstrated that the revised scheme preserves the wider landscape setting identified by the Inspector?

External Research

- Publicly available aerial photography and site photography (if required) to compare the extent of hillside visibility and retained views.

Principal Question

Has the applicant demonstrated that the revised proposal continues to preserve important views of the upper hillside and remains appropriately contained within its wider landscape setting despite the site's steep topography?

Status ●

Paragraph 34

Inspector's Point

34. The woodland to the south and development to the north and west would remain as a key visual characteristic of the area, though there would be visual and spatial loss of the rural context that lies beyond the site to the east. This would be from the introduction of large amounts of built form, albeit the extent of the development would not protrude eastwards beyond the existing built limits of Hollowhead Avenue and Warrenside Close.

Summary

The Inspector concludes that whilst the existing woodland and surrounding development would continue to define the area's character, the proposal would result in the loss of some of the site's rural setting. She considers this effect to be moderated because the development would not extend further east than the existing built form at Hollowhead Avenue and Warrenside Close.

Initial Thoughts

- The Inspector accepts that there would be a visual and spatial loss of rural character.
- She concludes that this harm is moderated by the extent of the proposed built form.
- Is this still the case in the revised proposal?
- Have the revised proposals altered the eastern extent of development or the relationship with the open countryside?
- Does the revised proposal continue to sit within the established built envelope identified by the Inspector?

- Has the revised scheme increased or reduced the perceived loss of rural context?
- Is the applicant relying on the same reasoning within the revised application?

Additional Research Questions

Settlement Edge

- Has the eastern extent of built development changed?
- Does the revised proposal continue to align with the existing built limits of Hollowhead Avenue and Warrenside Close?
- Has the relationship between the development and the open countryside changed?

Rural Context

- Does the revised proposal result in greater or lesser loss of rural character?
- Has the revised landscape strategy improved the transition between the settlement and countryside?
- Does the revised proposal retain the key visual characteristics identified by the Inspector?

Visual Assessment

- Do the revised viewpoints and photomontages support the conclusion that the development remains visually contained?
- Has the revised proposal altered the perceived extent of built form within the landscape?
- Are views towards the countryside more or less affected than in the appeal scheme?

Applicant's Response

- Do the revised Planning Statement and Landscape and Visual Impact Assessment specifically address the Inspector's findings in this paragraph?
- Have the applicants demonstrated that the revised proposals reduce the visual and spatial loss of rural context?
- Is that conclusion supported by the submitted drawings and visual evidence?

Principal Question

Has the applicant demonstrated that the revised proposal continues to respect the existing settlement edge and does not result in a greater visual or spatial loss of rural context than that considered acceptable by the Inspector?

Status ●

Paragraph 35

Inspector's Point

35. In this respect, the visual envelope of the proposed development would be contained, and the loss of the fields would be localised to the site and its immediate context. Over time landscaping proposed on the northern edge of the housing parcel and within the site would filter obtainable views of buildings. The land would be perceived to be part of the settlement and not countryside on the edge of the settlement as it currently is.

Summary

The Inspector concludes that the visual effects of the proposal would be largely contained within the site and its immediate surroundings. She also considers that, as the proposed landscaping matures, views of the development would become increasingly filtered and the site would ultimately be perceived as part of the settlement rather than the adjoining countryside.

Initial Thoughts

- The Inspector concludes that the visual effects would remain relatively localised.
- His conclusion relies upon the successful establishment and long-term effectiveness of the proposed landscaping.
- Is this still the case in the revised proposal?
- Does the revised proposal continue to rely upon future landscape planting to reduce visual impacts?
- Has the revised landscape strategy genuinely improved, or is the applicant relying upon the same assumptions as the appeal scheme?
- Is there sufficient evidence that the site would now be perceived as part of the settlement rather than the countryside?
- Have the revised engineering works altered the visual envelope or increased the extent of visible development?

Additional Research Questions

Visual Envelope

- Has the visual envelope of the revised proposal changed?
- Does the revised proposal remain visually contained within its immediate surroundings?
- Have the revised proposals increased the apparent extent of development when viewed from surrounding receptors?

Landscape Mitigation

- Has the landscape strategy been strengthened since the appeal?
- Does the revised Landscape Masterplan provide more effective long-term screening?
- Is there sufficient space for meaningful landscape planting to establish?
- Does the revised proposal remain dependent upon future planting to reduce visual effects?

Settlement Edge

- Does the revised proposal now read more naturally as part of the existing settlement?
- Has the relationship between the development and the adjoining countryside changed?
- Does the revised proposal provide a stronger transition between settlement and countryside?

Applicant's Response

- Do the revised Planning Statement and Landscape and Visual Impact Assessment explain how these conclusions have been addressed?
- Is there evidence that the revised proposals materially reduce the landscape and visual effects identified by the Inspector?
- Are the applicant's conclusions supported by the revised drawings, sections and visualisations?

Principal Question

Has the applicant demonstrated that the revised proposal remains visually contained, provides effective and deliverable long-term landscape mitigation, and can reasonably be expected to integrate into the existing settlement without causing greater landscape or visual effects than those accepted by the Inspector?

Status ●

Paragraph 36

Inspector's Point

36. Based on the evidence before me and my own observations of the site and the surrounding landscape, I agree in part with the appellant's conclusion that, even though the magnitude of change upon the site itself would be high, the residual effects on the immediate landscape character would be moderate and on the wider landscape character would be minor.

Summary

The Inspector partially agrees with the appellant's Landscape Character and Visual Impact Assessment. She accepts that the development would result in a high magnitude of change to the site itself but concludes that the residual effects on the immediate landscape character would be moderate and on the wider landscape character would be minor.

Initial Thoughts

- This is an important conclusion within the Inspector's landscape assessment.
- The Inspector relies upon both the appellant's evidence and his own site observations.
- The Inspector agrees with the appellant only *in part*.
- Which elements of the appellant's assessment did the Inspector accept, and which did she reject?
- Does the revised proposal materially alter the basis upon which the Inspector reached these conclusions?
- Has the applicant provided evidence to demonstrate that the revised proposal would result in lesser landscape effects than the appeal scheme?
- Is the assessment of "moderate" and "minor" residual effects still justified in light of the revised proposals?

Additional Research Questions

Landscape Assessment

- Which elements of the appellant's LCVIA did the Inspector accept?
- Which elements did she reject elsewhere in the decision?
- Does the revised LCVIA continue to rely upon the same conclusions?
- Has the methodology or assessment changed?

Magnitude of Change

- Has the revised proposal reduced the magnitude of change to the site?
- Have the revised engineering works altered the landscape effects?
- Has the revised landscape strategy reduced the residual effects identified by the Inspector?

Evidence Base

- What evidence supports the applicant's assessment of moderate and minor residual effects?
- Do the revised visualisations, viewpoints and landscape assessment support those conclusions?
- Is there evidence within the revised application that materially changes the Inspector's previous assessment?

Applicant's Response

- Does the revised Planning Statement explain how the Inspector's findings have been addressed?
- Have the applicants demonstrated that the revised proposals reduce landscape effects beyond those considered at appeal?
- Are those conclusions supported consistently across the submitted reports and drawings?

Principal Question

Has the applicant demonstrated that the revised proposal would result in no greater landscape effects than those accepted by the Inspector, and is there evidence to justify any claim that the revised scheme performs better than the appeal proposal?

Status ●

Paragraph 37

Inspector's Point

37. Turning to visual effects, visual amenity relates to the direct visual impacts on receptors (people) rather than on the landscape. The LCVIA has assessed the visual effects of the proposal from several key viewpoints. During my site visits, I was able to observe the site and its context from several important local viewpoints, including those identified in the LCVIA.

Summary

The Inspector distinguishes visual effects from landscape effects, explaining that visual amenity concerns the impact of the development on people rather than the landscape itself. She notes that the LCVIA assessed a number of key viewpoints and that she verified these through his own site visits.

Initial Thoughts

- The Inspector explains that visual effects relate to the experience of people viewing the development.
- She considers both the applicant's LCVIA and his own site observations.
- Have all relevant visual receptors genuinely been identified and assessed within the LCVIA?
- Are there important viewpoints, receptors or routes that have been omitted or under-represented?
- Does the revised LCVIA continue to assess the most sensitive receptors?
- Do the Inspector's site observations remain applicable to the revised proposal?
- Has the revised application materially altered the visual effects experienced by surrounding receptors?

Additional Research Questions

Visual Receptors

- Who are the principal visual receptors identified within the LCVIA?
- Have all relevant receptors been assessed?
- Have residential properties, Public Rights of Way, roads and publicly accessible spaces all been adequately considered?
- Are there additional sensitive receptors that should have been included?

Viewpoints

- Are the selected viewpoints representative of the most sensitive locations?
- Have any viewpoints been omitted?
- Have additional viewpoints been included within the revised application?
- Do the submitted photomontages and visualisations accurately represent the likely visual effects?

Inspector's Assessment

- Which viewpoints did the Inspector visit?
- Does the revised proposal materially alter the views available from those locations?
- Do the revised application documents explain any changes to the visual assessment?

Applicant's Evidence

- Does the revised LCVIA provide sufficient evidence to support its conclusions?
- Are the conclusions reached within the LCVIA supported by the visual evidence?

Principal Question

Has the applicant demonstrated, through the revised LCVIA and supporting visual evidence, that all relevant visual receptors have been appropriately identified and assessed, and that the conclusions regarding visual effects are robust?

Status ●

Paragraph 38

Inspector's Point

38. The LCVIA identifies users of PRoW 25 are considered to be of high sensitivity (viewpoints 1 and 2). I found the walk along the path to be a pleasant environment which is clearly well used given the number of passers-by I encountered even at the mid-afternoon hour. From my observations and the visualisations provided from this location, PRoW 25 allows views through the site from the public realm. It is clear that the view here from the open grassland would change considerably. Over time, landscaping may soften the appearance of the estate along the boundaries. However, as set out above, even though I accept steep sites are capable of accommodating planting, there would be a sharp contrast in the immediate landscape within the central-eastern section of the site where PRoW 25 runs alongside the site boundary. This would be due to the extensive earthworks required to re-profile the land combined with limited scope for a meaningful landscaped buffer at a point that would be extremely open and visible.

Summary

The Inspector accepts that users of PRoW 25 are highly sensitive visual receptors. Whilst acknowledging that landscaping would soften the development over time, she concludes that the extensive earthworks, limited landscape buffer and openness of the central-eastern section would result in a marked change to the experience of the footpath.

Initial Thoughts

- The Inspector personally observed that PRoW 25 is a pleasant and well-used public right of way.
- She identifies users of PRoW 25 as highly sensitive visual receptors.
- The Inspector concludes that the experience of this route would change considerably.
- The limited opportunity for meaningful landscape mitigation remains one of his principal concerns.
- Has the revised proposal genuinely overcome this concern?

- Has the relationship between PRow 25, the retaining structures and the landscape buffer materially changed?
- Why is PRow 25 well used, and are the characteristics identified by the Inspector retained within the revised proposal?
- Would existing consultation responses or user evidence assist in understanding the value people place on this route?

Additional Research Questions

PRow 25

- Has the revised proposal altered the relationship between the development and PRow 25?
- Have the revised engineering works reduced the visual impact experienced by users of the footpath?
- Does the revised proposal provide a stronger landscape buffer alongside PRow 25?
- Does the revised proposal preserve the qualities of the route identified by the Inspector?

Landscape Mitigation

- Has the width or quality of the landscape buffer increased?
- Is there now sufficient space for meaningful planting?
- Does the revised Landscape Masterplan demonstrate that the Inspector's concerns have been addressed?
- Does the revised proposal continue to rely upon future planting to mitigate immediate visual effects?

Visual Assessment

- Do the revised viewpoints and photomontages accurately represent the experience of users on PRow 25?
- Has the applicant specifically reassessed Viewpoints 1 and 2?
- Does the revised LCVIA explain how the Inspector's findings have been addressed?

User Experience

- Do consultation responses, representations or other evidence explain why PRow 25 is valued by the public?
- Would additional evidence regarding users' experience of the footpath assist in understanding the significance of the visual effects?

- Are there qualitative aspects of the route—such as openness, rural outlook and tranquillity—that should be considered alongside visual impact?

External Research

- Public Rights of Way guidance (only if required following review of the application documents).
- Existing consultation responses relating to PRow 25 (if not already contained within the planning file).

Principal Question

Has the applicant demonstrated that the revised proposal preserves the experience of users of PRow 25 by reducing the visual effects of the development and providing a meaningful landscape transition alongside this highly sensitive public route?

Status ●

Paragraph 39

Inspector's Point

39. Pedestrians would have their enjoyment of the footpath significantly harmed. Indeed, it is recognised in the LCVIA that landscaping mitigation to the eastern boundary is key in reducing visual impact and mimicking the character of other built form on surrounding valley sides. The LCVIA methodology defines the 'high' magnitude of change as a major change in the view that is highly prominent and has a strong influence on the overall view but indicates the magnitude of harm from PRow 25 in Year 15 would be moderate. Given my assessment above in relation to the limited space available for a greater density of planting alongside the central-eastern boundary, even during the months when leaves would be on trees, the LCVIA significance of effects downplays the magnitude of change and overplays the beneficial effects of landscaping mitigation in this area. As such, effects upon completion and Year 15 for the site would be greater than the LCVIA indicates. Even in the long-term there would be a permanent high, major adverse, magnitude of harm.

Summary

The Inspector concludes that the LCVIA underestimates the visual effects of the proposal on users of PRow 25. She finds that the assessment overstates the effectiveness of landscape mitigation and that the development would result in permanent, major adverse visual effects on the enjoyment of the footpath, including after 15 years.

Initial Thoughts

- This is one of the Inspector's strongest and most significant findings.
- The Inspector expressly disagrees with the appellant's assessment of visual effects.
- She concludes that the LCVIA downplays the magnitude of change and overplays the benefits of landscape mitigation.
- She finds that the harm would remain permanent, high, major adverse and would continue into Year 15.
- Surely this remains the key question: has the applicant changed the proposals so fundamentally that this conclusion is no longer valid?
- Has the revised proposal genuinely overcome the Inspector's concerns, or does development adjacent to PRow 25 continue to result in permanent adverse visual effects?
- Has the revised LCVIA provided robust evidence to justify any different conclusion?

Additional Research Questions

PRow 25

- Has the relationship between the development and PRow 25 materially changed?
- Have the revised engineering works reduced the visual impact experienced by users of the footpath?
- Has the landscape buffer been significantly widened or strengthened?
- Does the revised proposal fundamentally alter the experience of PRow 25 compared with the appeal scheme?

Landscape Mitigation

- Has the revised proposal reduced its reliance upon future landscape mitigation?
- Is there now sufficient space to establish meaningful planting?
- Does the revised Landscape Masterplan demonstrate a materially different landscape strategy?
- Has the applicant demonstrated that the Inspector's concerns regarding long-term mitigation have been overcome?

LCVIA Assessment

- Does the revised LCVIA continue to rely upon Year 15 mitigation?
- Has the assessment methodology changed?
- What evidence has the applicant provided to justify any reduction in the assessed visual effects?
- Do the revised visualisations, viewpoints and photomontages support the applicant's conclusions?
- Does the evidence demonstrate that the Inspector's previous findings no longer apply?

Applicant's Response

- Do the revised Planning Statement, Design and Access Statement or LCVIA specifically address the Inspector's findings in this paragraph?
- Has the applicant explained why the revised proposal should now be regarded differently?
- Are those conclusions consistently supported by the revised drawings, sections and visual evidence?

Principal Question

Has the applicant demonstrated, through substantive changes to the proposal and robust supporting evidence, that the Inspector's finding of permanent, high, major adverse visual effects on users of PRoW 25 no longer applies?

Status ●

Paragraph 40

Inspector's Point

40. The LCVIA indicates that due to the maturation of mitigation planting to the eastern boundary in viewpoints 4, 6, 7 and 9 the magnitude of change to views would change from low/medium/high in Year 1 to very low/low in Year 15, which would result in a minor/moderate adverse effect in Year 15. However, for the same reasons given above in relation to the limited space to provide meaningful landscaping mitigation within the central-eastern part of the site, I am not convinced the resultant effect in the long term would be as predicted but would be higher. I do, however, recognise that views would lessen with distance and that the experience and views of the viewer would vary depending upon relative elevation, angle and screening. Views would also be intermittent, transitioning and changing as the viewer moves towards and away from the viewpoints identified.

Summary

The Inspector rejects the LCVIA's prediction that landscape mitigation would reduce visual effects to minor or moderate adverse levels by Year 15 at several viewpoints. Whilst accepting that visual effects vary according to distance, elevation and screening, she concludes that the long-term effects would remain greater than the appellant predicts because of the limited opportunity for meaningful landscape mitigation.

Initial Thoughts

- The Inspector again rejects the appellant's assessment of the long-term visual effects.
- She accepts that views change depending upon location, elevation and movement through the landscape.
- His principal concern remains the limited opportunity for meaningful landscape mitigation.
- Surely this remains the key question: has the applicant changed the proposals sufficiently to overcome this conclusion?
- Has the revised proposal materially increased the space available for landscape mitigation, or does it continue to rely upon the same assumptions regarding Year 15 planting?
- How can the housing no longer have the same adverse effect on PRow 25 and the identified viewpoints if the relationship between the development and the landscape remains fundamentally the same?
- Has the revised LCVIA provided compelling evidence to justify a different conclusion?

Visual Effects

- Have the revised proposals materially altered the visual effects from Viewpoints 4, 6, 7 and 9?
- Has the relationship between the development and PRow 25 changed?
- Do the revised visualisations demonstrate a materially different outcome?

Landscape Mitigation

- Has the landscape buffer along the eastern boundary been significantly increased?
- Is there now sufficient space to establish meaningful landscape planting?
- Does the revised proposal continue to rely upon Year 15 landscape mitigation?

- Has the applicant demonstrated that the Inspector's concerns regarding long-term mitigation have been overcome?

LCVIA Assessment

- Does the revised LCVIA continue to assess the same viewpoints?
- Has the methodology or assessment changed?
- What evidence supports the revised conclusions?
- Do the revised viewpoints, photomontages and visualisations justify a different assessment from that reached by the Inspector?
- Has the applicant specifically addressed the Inspector's criticisms of the previous LCVIA?

Applicant's Response

- Do the revised Planning Statement, Design and Access Statement or LCVIA explain how this aspect of the appeal decision has been addressed?
- Are those explanations supported by the revised drawings and landscape proposals?
- Has the applicant demonstrated that the revised proposals materially reduce the long-term visual effects identified by the Inspector?

Principal Question

Has the applicant demonstrated, through substantive amendments and robust supporting evidence, that the Inspector's concerns regarding the long-term visual effects from Viewpoints 4, 6, 7 and 9 no longer apply?

Status ●

Paragraph 41

Inspector's Point

41. Viewpoint 8 relates to people using or living on Salesbury View who, as acknowledged in the LCVIA would experience a high magnitude of change in Years 1 and 15 resulting from a major adverse effect even with landscape mitigation. The quantum of development and its urban form would be in stark contrast to the current undeveloped fields. This would also be the case when viewed from surrounding properties on Whalley Road, Wilpshire Banks and Hollowhead Avenue.

Summary

The Inspector notes that the LCVIA itself identifies Viewpoint 8 as experiencing a high magnitude of change and a major adverse effect in both Year 1 and Year 15, despite the proposed landscape mitigation. She agrees that the scale and urban form of the development would be in stark contrast to the existing undeveloped landscape and that similar effects would be experienced from surrounding residential areas.

Initial Thoughts

- This is one of the Inspector's most significant findings regarding visual effects.
- The appellant's own LCVIA identifies **major adverse effects** at Viewpoint 8 in both Year 1 and Year 15.
- Is this still the case in the revised LCVIA?
- Has the applicant materially reduced the visual effects experienced from Salesbury View, Whalley Road, Wilpshire Banks and Hollowhead Avenue?
- The assessment of each viewpoint, and how it has changed from the appeal scheme, appears pivotal to the review of the revised application.
- If the applicant continues to identify major adverse effects from this viewpoint, why has a verified photomontage not been provided to illustrate that impact?
- Do the submitted visualisations accurately represent the most harmful viewpoints?

Additional Research Questions

Viewpoint 8

- Does the revised LCVIA continue to identify a major adverse effect at Viewpoint 8?
- If not, what evidence is provided to justify the change?
- Have the revised proposals materially altered the appearance of the development from this viewpoint?
- Has the relationship between the development and Salesbury View changed?

Viewpoint Assessment

- Prepare a comparison of every assessed viewpoint between the appeal scheme and the revised application.
- Which viewpoints have improved?
- Which viewpoints remain unchanged?
- Which viewpoints continue to record major adverse effects?
- Are any new viewpoints included or existing viewpoints omitted?

Visual Evidence

- Has the applicant provided verified photomontages for the viewpoints identified as experiencing the greatest visual effects?
- Why has a verified photomontage not been provided for Viewpoint 8 if it remains one of the most adversely affected receptors?
- Do the submitted visualisations fairly represent the worst-case views?
- Is additional visual evidence required to properly assess this viewpoint?

Applicant's Response

- Do the revised Planning Statement and LCVIA specifically explain how the Inspector's findings regarding Viewpoint 8 have been addressed?
- Is there robust evidence demonstrating that the visual effects have been reduced?
- Are the conclusions supported by the revised drawings, sections and landscape proposals?

Principal Question

Has the applicant demonstrated, through revised design proposals and robust visual evidence, that the Inspector's findings regarding the major adverse visual effects experienced from Viewpoint 8 and the surrounding residential receptors no longer apply?

Status ●

Paragraph 42

Inspector's Point

42. However, this would be likely to be the case for any greenfield site allocated for development. While views would change, there would be a considerable depth of landscape buffer to surrounding properties, particularly within the northern part of the site. Due to its depth, it would ensure proposed dwellings would not appear overbearing when viewed from surrounding dwellings despite the incline of the land. I recognise the strength of representation from some members of the public and accept that the effects of the proposal would be significantly appreciated from surrounding properties. However, in planning terms, there is no right to a view. The relatively linear, stepped form of the development interspersed with landscaping would not be noticeably dissimilar to other housing developments located on rising land in the local area.

Summary

The Inspector acknowledges that the development would significantly alter existing views from surrounding properties but concludes that this is an inevitable consequence of developing an allocated greenfield site. She finds that the proposed landscape buffers would prevent the development appearing overbearing and that the stepped form of the development would not be materially different from other hillside developments in the locality.

Initial Thoughts

- The Inspector accepts that surrounding residents would experience a significant change in outlook.
- She distinguishes between a change in view and unacceptable planning harm.
- The Inspector places considerable reliance upon the depth and effectiveness of the proposed landscape buffer.
- Is this still the case in the revised proposal?
- Has the applicant retained or improved the landscape buffer relied upon by the Inspector?
- Does the revised proposal continue to demonstrate that the development would not appear overbearing when viewed from surrounding properties?
- Whilst there is no right to a view, why has the applicant chosen not to provide a verified photomontage from Viewpoint 8 to demonstrate how the revised proposals would appear?
- Would a verified visualisation from Viewpoint 8 have assisted the LPA and local community in understanding whether the revised proposals genuinely reduce the visual effects?

Additional Research Questions

Landscape Buffer

- Has the landscape buffer been retained, widened or reduced?
- Does the revised Landscape Masterplan continue to provide the depth of planting relied upon by the Inspector?
- Has the engineering strategy affected the effectiveness of the proposed landscape buffer?

Residential Amenity

- Does the revised proposal continue to avoid an overbearing relationship with surrounding properties?
- Have the revised levels, retaining walls or dwelling positions altered this relationship?
- Is there evidence demonstrating that visual effects on neighbouring residents have been reduced?

Visual Evidence

- Has the applicant provided verified photomontages from the most sensitive residential viewpoints?
- Why has a verified photomontage not been prepared from Viewpoint 8 if this remains one of the principal visual receptors?
- Would such a visualisation materially assist the assessment of the revised proposals?
- Do the submitted visualisations fairly represent the most significant visual effects experienced by neighbouring residents?

Applicant's Response

- Do the revised Planning Statement and LCVIA explain how the Inspector's findings in this paragraph have been addressed?
- Has the applicant demonstrated that the revised proposals materially reduce the visual effects identified by the Inspector?
- Are those conclusions supported by the revised drawings, viewpoints and visual evidence?

Principal Question

Has the applicant demonstrated that the revised proposal continues to provide an effective landscape buffer and avoids an overbearing relationship with surrounding properties, and has sufficient visual evidence been provided to substantiate that conclusion?

Status ●

Paragraph 43

Inspector's Point

43. With the exception of the western boundary to Plot 7 for reasons set out above, because of the proposed landscape buffer, the existing garages along Salesbury View and the depth of existing and proposed gardens the visual effect of the development from viewpoint 8 and surrounding dwellings would be diminished. In my view the proposed development could be successfully assimilated in proximity to neighbouring properties.

Summary

The Inspector concludes that, with the exception of Plot 7, the combination of the proposed landscape buffer, existing garages and separation distances would reduce the visual effects on Viewpoint 8 and neighbouring properties. She considers that the development could be successfully assimilated alongside the existing residential area.

Initial Thoughts

- The Inspector identifies Plot 7 as the remaining exception to an otherwise acceptable relationship with neighbouring properties.
- His conclusion relies upon the effectiveness of the proposed landscape buffer, existing built form and separation distances.
- Does the revised proposal retain the same level of separation and landscape buffering?
- Has Plot 7 been amended sufficiently to overcome the Inspector's earlier concerns?
- Has the applicant demonstrated, through robust visual evidence, that the revised proposal would still be successfully assimilated into its surroundings?
- Do the revised visualisations support the Inspector's conclusion regarding Viewpoint 8 and neighbouring residential properties?

Additional Research Questions

Plot 7

- Has Plot 7 been redesigned or repositioned?
- Have the retaining structures, levels or boundary treatments changed?
- Has the Inspector's concern regarding Plot 7 been fully addressed?

Viewpoint 8

- Does the revised LCVIA continue to identify Viewpoint 8 as experiencing major adverse effects?
- Have the revised proposals reduced those effects?
- Do the submitted visualisations support that conclusion?

Landscape Buffer and Assimilation

- Has the landscape buffer been retained or strengthened?
- Does the revised Landscape Masterplan continue to provide the level of screening relied upon by the Inspector?
- Is there sufficient evidence that the revised proposal would assimilate successfully with the existing residential area?

Applicant's Response

- Do the revised Planning Statement and LCVIA explain how the Inspector's findings in this paragraph have been addressed?
- Are those explanations supported by the revised layout, sections and visual evidence?

Principal Question

Has the applicant demonstrated that the revised proposal, including any amendments to Plot 7, would be successfully assimilated into its surroundings and that the visual effects on Viewpoint 8 and neighbouring properties have been materially reduced?

Status ●

Paragraph 44

Inspector's Point

44. From my observations on site, I am largely in agreement that the development would result in negligible adverse impacts over the much longer distant views of the appeal site. Due to the distance from viewpoints 3 and 5, the site would be seen nestled close to existing woodland and surrounding residential development next to the eastern fringe of Wilpshire. From here the level of harm would be minimal.

Summary

The Inspector largely agrees with the appellant's assessment of the long-distance views. She concludes that, because of the distance and the site's relationship with existing woodland and residential development, the proposal would have only negligible adverse effects when viewed from Viewpoints 3 and 5.

Initial Thoughts

- The Inspector largely agrees with the appellant's assessment of the long-distance views.
- His conclusion relies upon the distance of the viewpoints and the site's relationship with the surrounding woodland and existing development.
- Does the revised proposal materially alter the long-distance views considered by the Inspector?
- Has the applicant retained the landscape characteristics upon which the Inspector relied?
- Do the revised visualisations continue to demonstrate only negligible adverse effects from Viewpoints 3 and 5?
- The Inspector's conclusion is based upon his own site observations as well as the LCVIA.

Additional Research Questions

Viewpoints 3 and 5

- Has the revised proposal altered the appearance of the development from Viewpoints 3 and 5?
- Do the revised visualisations support the conclusion that the effects remain negligible?
- Have any changes to the layout or engineering works increased the prominence of the development in long-distance views?

Landscape Context

- Does the revised proposal continue to read alongside the existing woodland and surrounding residential development?
- Have the revised landscape proposals maintained the characteristics relied upon by the Inspector?
- Has the relationship between the development and the eastern edge of Wilpshire changed?

Applicant's Response

- Does the revised LCVIA specifically reassess Viewpoints 3 and 5?
- Are the applicant's conclusions supported by the submitted visual evidence?
- Has the applicant demonstrated that the revised proposal performs at least as well as the appeal scheme in long-distance views?

Principal Question

Has the applicant demonstrated that the revised proposal continues to result in only negligible adverse visual effects in the longer-distance views identified by the Inspector?

Status ●

Paragraph 45

Inspector's Point

45. Notwithstanding, it has not been demonstrated that the buffer along the central-eastern boundary and PRoW 25 would be effective in mitigating the landscape and visual impact of the development in the long term. The LS seeks that the character of ridge settlements is conserved through the softening of abrupt urban edges. The proximity of the proposed dwellings within this part of the site to open countryside and PRoW 25 would not be perceptibly softened but would result in a highly conspicuous urban edge, the immediate visual effect of which would be harmful. Whilst the land would be used efficiently, it would compromise the quality of the environment in this regard.

Summary

The Inspector concludes that the appellant failed to demonstrate that the proposed landscape buffer along the central-eastern boundary and PRoW 25 would provide effective long-term mitigation. She finds that the development would create a conspicuous and harmful urban edge that would fail to conserve the character of the ridge settlement, despite making efficient use of the allocated site.

Initial Thoughts

- This is one of the Inspector's key conclusions regarding landscape and visual effects.
- The Inspector expressly concludes that the effectiveness of the proposed landscape buffer has not been demonstrated.
- She identifies the creation of a conspicuous urban edge as a principal source of harm.
- Has the applicant now demonstrated, with robust evidence, that the revised landscape buffer would provide effective long-term mitigation?
- Has the revised proposal materially softened the relationship between the development, PRoW 25 and the open countryside?
- Does the revised proposal continue to create a conspicuous urban edge?
- Has the applicant provided sufficient evidence to demonstrate that the Inspector's conclusions no longer apply?

Additional Research Questions

Landscape Buffer

- Has the landscape buffer along the central-eastern boundary been widened or strengthened?
- Is there now sufficient space for meaningful long-term planting?
- Does the revised Landscape Masterplan demonstrate a materially different approach?
- Has the applicant demonstrated that the proposed planting can realistically achieve the intended level of screening?

Urban Edge

- Does the revised proposal soften the settlement edge more successfully than the appeal scheme?
- Does the development continue to present an abrupt urban edge when viewed from PRoW 25 and the surrounding countryside?
- Have the revised engineering works altered the visual relationship with the countryside?

Applicant's Evidence

- What evidence has the applicant provided to demonstrate that the Inspector's concerns have been overcome?
- Does the revised LCVIA support those conclusions?

- Do the revised viewpoints, photomontages and visual evidence substantiate the claimed improvements?
- Are the applicant's conclusions supported consistently across the submitted reports and drawings?

Policy and Landscape Strategy

- Does the revised proposal better satisfy the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges?
- Has the applicant explained how the revised proposals respond to this specific policy objective?

External Research

- *A Landscape Strategy for Lancashire* (2000), specifically the guidance relating to ridge settlements and the softening of abrupt urban edges.

Principal Question

Has the applicant demonstrated, through substantive design changes and robust supporting evidence, that the revised proposal provides an effective long-term landscape buffer, softens the urban edge and overcomes the Inspector's findings of harmful landscape and visual effects along the central-eastern boundary and PRoW 25?

Status ●

Paragraph 46

Inspector's Point

46. Scale relates to the height, width and length of each building in relation to its surroundings⁶. The provision of roof-level accommodation would result in some proposed dwellings to be more prominent than others, with significant ridge heights. Notably, almost all of these dwellings would be split level and positioned on the northern part of the site where they would be seen against the incline of the hillside in front of a belt of proposed trees and behind street trees. Plots 18 to 21 would comprise two pairs of semi-detached 3-bedroom properties located close to the initial part of the internal access road. The ridge height of these dwellings would be high and would include photovoltaic roof panels, a small dormer in the front roof slope and a rooflight on the rear slope to accommodate a third floor of accommodation. The four dwellings would not dominate the approach into the wider site because they would be flanked by large two-storey corner detached dwellings and face towards an area of open space, thereby adding variety within this part of the site.

Summary

The Inspector considers the scale of the proposed dwellings in relation to their surroundings. Although some dwellings would have significant ridge heights due to split-level design and roof accommodation, she concludes that Plots 18–21 would not dominate the approach into the site because of their relationship with surrounding buildings, open space and landscaping.

Initial Thoughts

- The Inspector assesses scale in the context of the surrounding development rather than the individual dwellings in isolation.
- The split-level design and increased ridge heights are recognised but not considered unacceptable in this location.
- Have the revised proposals altered the scale, ridge heights or roof forms of Plots 18–21?
- Do the revised proposals retain the relationship between these dwellings, the open space and the surrounding built form that the Inspector relied upon?
- Has the applicant demonstrated that the revised scale remains appropriate within the hillside setting?
- Are the revised street scenes, sections and visual evidence consistent with the Inspector's conclusions?

Additional Research Questions

Plots 18–21

- Have the scale, ridge heights or roof accommodation changed?
- Have the split-level arrangements been amended?
- Have the dwelling types or layout changed?

Scale and Massing

- Have the revised proposals altered the prominence of these dwellings?
- Do the revised ridge heights remain appropriate in relation to neighbouring plots?
- Have changes to finished levels altered the apparent scale of the buildings?

Visual Relationship

- Does the revised proposal retain the relationship with the adjoining open space?
- Do the surrounding dwellings continue to provide the context relied upon by the Inspector?
- Have the revised landscape proposals altered the appearance of this part of the development?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement explain any amendments to the scale or appearance of Plots 18–21?
- Are any changes supported by the revised drawings, sections and street scenes?
- Has the applicant demonstrated that the Inspector's conclusions regarding scale remain applicable?

Principal Question

Has the applicant demonstrated that the revised proposals retain an appropriate scale and relationship with the surrounding development, and do Plots 18–21 continue to avoid dominating the approach into the site?

Status ●

Paragraph 47

Inspector's Point

47. At my site visit, I saw other split level dwellings of similar height along Wilpshire Banks where, facing the road, three floors of accommodation include integral garages. In addition, imposing traditional properties at 22 and 24 Whalley Road, which are set back from and higher than the road, also include three floors of accommodation within gabled projecting features. The proposed use of split level dwellings would be an acceptable way to adapt to the site's topography and is evident in the local area.

Summary

The Inspector concludes that split-level dwellings are an established characteristic of the local area. Having observed comparable examples at Wilpshire Banks and 22 and 24 Whalley Road, she finds that the proposed split-level design would represent an acceptable response to the site's topography.

Initial Thoughts

- The Inspector relies upon existing local examples to conclude that split-level dwellings are appropriate in principle.
- His conclusion relates to the **principle** of split-level development rather than every individual dwelling proposed.
- Have the revised proposals retained a comparable scale and relationship to the local examples identified by the Inspector?
- Has the applicant continued to use split-level dwellings as a response to the site's topography, or has the design approach changed?
- Do the revised proposals remain comparable with the examples observed by the Inspector at Wilpshire Banks and 22 & 24 Whalley Road?
- Has the applicant relied upon this conclusion elsewhere within the revised application, and if so, is that reliance justified?

Additional Research Questions

Split-Level Design

- Have the split-level dwellings been amended since the appeal?
- Have ridge heights, finished floor levels or roof forms changed?
- Does the revised proposal continue to respond appropriately to the site's topography?

Comparative Assessment

- Are the revised proposals still comparable to the existing split-level dwellings at Wilpshire Banks?
- Do the revised proposals remain comparable to 22 and 24 Whalley Road?
- Are there important differences between the proposed dwellings and the Inspector's local examples?

Scale and Character

- Have the revised proposals altered the prominence of the split-level dwellings?
- Does the revised proposal remain consistent with the established character identified by the Inspector?
- Have any changes affected the relationship between the proposed dwellings and the surrounding landscape?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement explain any amendments to the split-level design?
- Are any changes reflected consistently within the revised drawings, sections and street scenes?
- Has the applicant demonstrated that the Inspector's conclusions regarding the acceptability of split-level dwellings remain applicable?

Principal Question

Has the applicant demonstrated that the revised split-level dwellings remain an appropriate response to the site's topography and continue to reflect the established character of the surrounding area identified by the Inspector?

Status ●

Paragraph 48

Inspector's Point

48. In general design terms, there would be a variety of house types. The surrounding area largely includes a mix of traditional and contemporary architecture accompanied by a mix of materials and detailing. The elevations of the proposed dwellings would incorporate features found in the area including, amongst other things, exposed rafters, chimneys, gables, bays and dormers and would suitably reflect the scale and appearance of house types that exist in the surrounding area albeit with a more modern emphasis. In these respects, I am satisfied that the dwellings would appropriately reflect the context of the locality.

Summary

The Inspector concludes that the proposed dwellings would provide an appropriate variety of house types and architectural styles. She finds that the proposed materials, detailing and design approach would reflect the character and appearance of the surrounding area whilst incorporating a more contemporary interpretation.

Initial Thoughts

- The Inspector is satisfied with the overall architectural approach and variety of house types.
- She concludes that the proposed dwellings appropriately reflect the local context.
- Have the revised proposals altered the architectural approach, house types or external appearance?
- Do the revised proposals continue to reflect the character of the surrounding area?
- Has the applicant retained the architectural features relied upon by the Inspector?
- Have any design amendments affected the Inspector's conclusions regarding local character and appearance?

Additional Research Questions

House Types

- Have the proposed house types changed?
- Has the overall mix of dwellings been amended?
- Have the architectural forms or roof profiles changed?

Architectural Character

- Have the proposed materials or external detailing been revised?
- Do the revised proposals continue to reflect the traditional and contemporary character identified by the Inspector?
- Have any amendments altered the relationship between the proposed architecture and the surrounding area?

Design Quality

- Does the revised Design and Access Statement explain any changes to the architectural design?
- Have any amendments improved or diminished the quality of the overall design?
- Are the revised elevations and street scenes consistent with the Inspector's conclusions?

Applicant's Response

- Do the revised Design and Access Statement and Planning Statement explain how the architectural design has evolved?
- Are any design changes reflected consistently throughout the submitted drawings?
- Has the applicant demonstrated that the revised proposals continue to respond appropriately to the local context?

Principal Question

Has the applicant demonstrated that the revised architectural design, house types and external appearance continue to reflect the character and appearance of the surrounding area, consistent with the Inspector's conclusions?

Status ●

Paragraph 49

Inspector's Point

49. Within their evidence, the Council confirmed that external materials could be appropriately and necessarily managed through a planning condition.

Summary

The Inspector notes that the Council accepted that the detailed specification of external materials could be controlled through the use of an appropriate planning condition.

Initial Thoughts

- The Inspector identifies external materials as a matter capable of being controlled by condition.
- She does not identify external materials as a reason for refusing the appeal.
- Has the applicant materially altered the proposed external materials?
- Is the revised application still relying upon a planning condition to secure the final materials palette?
- Have any changes to the proposed materials affected the Inspector's conclusions regarding character and appearance?

Additional Research Questions

External Materials

- Have the proposed external materials changed since the appeal?
- Does the revised Design and Access Statement identify any amendments to the materials palette?
- Have revised materials been specified or are they still reserved for approval by condition?

Planning Conditions

- Does the current application continue to propose the use of a planning condition to control external materials?
- Has the Council's position regarding materials changed?
- Are there any proposed conditions relating to external materials within the Committee Report?

Applicant's Response

- Do the revised Planning Statement or Design and Access Statement explain any changes to the proposed materials?
- Have any amendments to the materials affected the overall design approach?

Principal Question

Has the applicant demonstrated that the proposed approach to external materials remains appropriate and capable of being satisfactorily controlled through the planning process?

Status ●

Paragraph 50

Inspector's Point

50. Given the quantity and distribution of open space across the site, the perception of built form would be diminished. The resulting varied scale and appearance of dwellings would offer variety and interest to the proposed street scene and would assist in its legibility and sense of place. I am therefore satisfied the scale of the development would be acceptable.

Summary

The Inspector concludes that the quantity and distribution of open space would reduce the perceived mass of built development. She finds that the varied scale and appearance of the proposed dwellings would create an attractive and legible development with an appropriate sense of place, leading him to conclude that the overall scale of the development would be acceptable.

Initial Thoughts

- This is the Inspector's overall conclusion on the issue of scale.
- His conclusion relies upon the amount and distribution of open space throughout the site.
- Have the revised proposals retained the same quantity and distribution of open space?
- Has the revised layout altered the perception of built form?
- Do the revised proposals continue to provide the variety, legibility and sense of place identified by the Inspector?
- Have any amendments to the layout, engineering works or landscape strategy altered the basis upon which the Inspector reached this conclusion?

Additional Research Questions

Open Space

- Has the quantity of open space changed?
- Has the distribution of open space across the site changed?
- Do the revised proposals continue to break up the built form effectively?
- Has the relationship between the open space and surrounding development altered?

Scale and Layout

- Has the revised proposal altered the perceived scale or massing of the development?
- Does the revised layout continue to provide variety in the street scene?
- Has the revised proposal maintained the legibility and sense of place identified by the Inspector?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain any amendments to the layout or open space strategy?
- Are those changes reflected within the revised site layout and landscape proposals?
- Has the applicant demonstrated that the Inspector's conclusions regarding scale remain applicable?

Principal Question

Has the applicant demonstrated that the revised layout retains an appropriate quantity and distribution of open space such that the perceived scale of the development remains acceptable and continues to provide variety, legibility and a strong sense of place?

Status



Paragraph 51

Inspector's Point

51. The Council do not dispute the principle of residential development on the site and given the allocation in the development plan I have no reason to form a different view. No specific quantum of development is set out in Policy HAL or Policy HAL2: Land at Wilpshire of the DPD. However, the supporting text advises that, in addition to the electricity line crossing the site, its topography presents issues in terms of visual impact and restrictions on capacity. Policy DS1 of the CS sets out the development strategy for the Borough including the distribution of housing. Table 4.12 of Policy DS1 states that 66 houses are required within the settlement of Wilpshire to meet housing needs within the plan period up to 2028. While I have no information before me about the delivery of housing in the area, the Council's evidence confirms that the figure of 66 is not a cap on the amount of development that could be provided on the appeal site and on the basis of the appeal documentation I have no reason to disagree.

Summary

The Inspector accepts the principle of residential development on the allocated site. She concludes that the development plan does not impose a maximum number of dwellings, although it recognises that the site's topography and the overhead electricity line create constraints affecting visual impact and development capacity.

Initial Thoughts

- The Inspector accepts the principle of residential development on the allocated site.
- She confirms that the figure of 66 dwellings is not a maximum capacity.
- Importantly, she also recognises that the site's topography and the overhead electricity line impose constraints on development capacity.
- Has the applicant demonstrated that the revised proposal responds appropriately to those constraints?
- Has the density of development changed since the appeal?
- Has the applicant demonstrated that the site's physical constraints no longer restrict the appropriate capacity of the site?
- Do the revised proposals represent the optimum use of the site, or does the proposed density continue to drive the engineering works and visual impacts identified elsewhere in the decision?
- Have there been any changes to Policies HAL, HAL2 or DS1 since the appeal decision?

Additional Research Questions

Development Plan

- Do Policies HAL, HAL2 and DS1 remain unchanged?
- Have any of these policies been superseded or amended?
- Does the current development plan identify any revised expectations regarding site capacity?

Site Capacity

- Has the proposed number of dwellings changed?
- Has the density of development increased or decreased?
- Has the revised layout responded more effectively to the site's physical constraints?
- Does the revised proposal better reflect the limitations imposed by the site's topography and overhead electricity line?

Density and Design

- Has the revised proposal reduced the need for extensive engineering works?
- Has any reduction or redistribution of density improved the relationship between built form, landscape and open space?
- Does the revised proposal demonstrate that the density is appropriate for this constrained site?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the site's constraints have influenced the revised density?
- Has the applicant demonstrated that the revised proposal makes efficient use of the allocated site without compromising landscape, visual amenity or design quality?
- Are those conclusions supported by the revised layout and associated technical documents?

External Research

- Current Development Plan policies relating to Policy HAL, Policy HAL2 and Policy DS1 (if amended or superseded since the appeal).

Principal Question

Has the applicant demonstrated that the revised proposal delivers an appropriate density for this allocated but physically constrained site, having properly responded to the topographical, landscape and infrastructure constraints identified by the Inspector?

Status ●

Paragraph 52

Inspector's Point

52. Policy DMG1 of the CS sets out general considerations for development in relation to design, access, amenity, the environment and infrastructure. In terms of design, it requires, amongst other things, that all development must consider the density, layout and relationship between buildings. Paragraph 129 of the Framework supports development that makes efficient use of land while safeguarding the environment. Planning Practice Guidance also provides advice with respect to density⁷, requiring consideration of such matters as plot ratio, bedspace per hectare and dwellings per hectare.

Summary

The Inspector identifies the relevant planning policy and guidance relating to density. She notes that Policy DMG1 requires consideration of density, layout and the relationship between buildings, whilst national policy supports the efficient use of land provided that environmental quality is safeguarded.

Initial Thoughts

- The Inspector identifies the policy framework against which the proposed density should be assessed.
- Efficient use of land is not the only consideration; it must be balanced against environmental quality.
- The relationship between buildings and the overall layout remain important policy considerations.
- Do Policy DMG1 and Paragraph 129 of the Framework remain applicable, or have they been amended since the appeal decision?
- If national or local policy has changed, what does it now say?
- Has the applicant demonstrated that the revised proposal achieves an appropriate balance between efficient use of land and safeguarding the environment?
- Does the revised proposal better respond to the density, layout and relationship between buildings than the appeal scheme?

Additional Research Questions

Planning Policy

- Does Policy DMG1 remain unchanged?
- Has Paragraph 129 of the Framework been amended or renumbered?
- Has the relevant Planning Practice Guidance relating to density changed?
- What do the current policies and guidance say regarding efficient use of land and design quality?

Density

- Has the proposed density changed since the appeal?
- Does the revised proposal better demonstrate an appropriate relationship between density, layout and environmental quality?
- Has the applicant explained how the revised density responds to the site's physical constraints?

Layout and Design

- Has the relationship between buildings changed?
- Have revisions improved the layout and distribution of development?
- Has the revised proposal reduced the need for engineering works or improved the overall site design?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the revised proposal complies with the current policy framework?
- Has the applicant demonstrated that efficient use of land has been achieved without compromising landscape, visual amenity or design quality?
- Are those conclusions supported by the revised layout and technical evidence?

External Research

- Current Development Plan policy relating to Policy DMG1 (if amended or superseded).
- Current version of the Ministry of Housing, Communities and Local Government's National Planning Policy Framework (to confirm the current equivalent of Paragraph 129).
- Current Planning Practice Guidance relating to residential density and efficient use of land.

Principal Question

Has the applicant demonstrated that the revised proposal complies with the current local and national policy framework by achieving an appropriate balance between efficient use of land, environmental protection, density and design quality?

Status ●

Paragraph 53

Inspector's Point

53. I acknowledge that the density of the development would be low in terms of the number of dwellings per hectare. However, an assessment of density alone does not take account of the site's context and constraints. This is recognised in Policy HAL2 where topography and an overhead power line are significant constraints to development. Given this, the proximity to the wooded area of Green Belt to the south, and the retention of a tree belt crossing the site, the higher density of development would be concentrated centrally within the site with areas of lower density concentrated to the north and south. In this case, the Council alleges the amount and density of development would harm the character of the area, particularly within the northern and eastern parts of the site.

Summary

The Inspector acknowledges that the overall density of the proposal would be relatively low but concludes that density should be considered alongside the site's physical constraints and context. She notes that the proposed distribution of development responds to these constraints, whilst recognising the Council's concerns that the amount and distribution of development would harm the character of the northern and eastern parts of the site.

Initial Thoughts

- The Inspector makes clear that density should not be considered in isolation.
- She recognises that the site's topography, overhead power line and landscape features influence how development is distributed.
- The Inspector identifies the northern and eastern parts of the site as the areas where the Council considered the proposed density to be harmful.
- Has the revised proposal altered the distribution of development across the site?
- Have the northern and eastern parts of the site been redesigned to address the Council's concerns?
- Has the applicant demonstrated that the site's physical constraints have been better reflected within the revised layout?
- Does the revised proposal still concentrate development in the same locations, and if so, has the associated harm been reduced?

Additional Research Questions

Density Distribution

- Has the distribution of development changed?
- Has density been reduced within the northern and eastern parts of the site?
- Has development been redistributed elsewhere within the site?
- Does the revised proposal respond more effectively to the site's physical constraints?

Site Constraints

- Does the revised layout better respond to the site's topography?
- Has the overhead electricity line continued to influence the layout?
- Have the revised proposals reduced the engineering works required in the northern and eastern parts of the site?
- Has the relationship with the retained tree belt and woodland changed?

Character

- Has the revised proposal reduced the impact of development on the character of the northern and eastern parts of the site?
- Does the revised layout better integrate with the surrounding landscape?
- Has the applicant demonstrated that the previous concerns regarding character have been overcome?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the density and distribution of development have changed?
- Does the revised proposal specifically respond to the Council's concerns regarding the northern and eastern parts of the site?
- Are those changes reflected consistently within the revised layout, landscape proposals and technical reports?

Principal Question

Has the applicant demonstrated that the revised distribution of development responds more appropriately to the site's physical constraints and overcomes the concerns regarding the character of the northern and eastern parts of the site?

Status ●

Paragraph 54

Inspector's Point

54. The appellant calculates the density of the proposed development would be approximately 17 dwellings per hectare as measured by the number of dwellings within the appeal site⁸ and density of development within the northern and southern parts of the site would be slightly lower. Even taken as a ballpark this would be very low and would be commensurate with the surroundings. I recognise the overall density figure would include the open space identified around the attenuation pond, trees and buffer areas.

Summary

The Inspector notes the appellant's calculation that the overall density would be approximately 17 dwellings per hectare. She accepts that this represents a relatively low density, broadly comparable with the surrounding area, whilst recognising that the calculation includes substantial areas of open space, landscape buffers and other undeveloped land.

Initial Thoughts

- The Inspector accepts that the overall density is relatively low.
- She recognises that the quoted density includes significant areas of open space and landscape infrastructure.
- Has the overall density changed within the revised proposal?
- Has the applicant used the same methodology to calculate density?
- Do the revised proposals still include the same extent of open space, landscape buffers and attenuation areas within the density calculation?
- Would the perceived density of the built development differ if only the developable area were considered?
- Has the revised proposal altered the balance between built development and open space?

Additional Research Questions

Density Assessment

- Has the overall dwelling density changed?
- Has the density within the northern and southern parts of the site changed?
- Has the applicant continued to calculate density using the gross site area?
- Is the density assessment directly comparable with the appeal scheme?

Open Space

- Has the quantity of open space changed?
- Have the landscape buffers, attenuation pond or retained tree belts changed in extent?
- Has the proportion of undeveloped land within the site altered?
- Has the balance between open space and built development changed?

Methodology

- Has the applicant explained how the revised density has been calculated?
- Would a net developable density provide a different understanding of how intensely the site is developed?
- Are the density calculations consistent across the submitted documents?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain any changes to the site's density?
- Has the applicant demonstrated that the revised proposal remains appropriate for the site's context and constraints?
- Are those conclusions supported by the revised layout and associated technical evidence?

External Research

- Planning Practice Guidance relating to residential density and the use of gross versus net density calculations (if required).

Principal Question

Has the applicant demonstrated that the revised proposal maintains an appropriate density for the site, and are the density calculations robust, consistent and representative of the actual pattern of development?

Status ●

Paragraph 55

Inspector's Point

55. In terms of the surrounding housing development, there is a variation to the size and style of properties. Housing to the north of the appeal site towards the end of Hollowhead Avenue and to the west off Whalley Road, including Wilpshire Banks and Salesbury View, reflects a more spacious form of development with predominantly detached properties in generous plots. Beyond the wooded valley of Knotts Brook to the south of the appeal site, Warrenside Close and Walden Road are more tightly arranged housing estates with a varying degree of separation between properties, although most properties have landscaped front gardens, which positively contributes to the character of the area. Elsewhere in Wilpshire there is also terraces of properties.

Summary

The Inspector identifies a varied pattern of residential development surrounding the site. She notes that some areas comprise spacious detached dwellings in generous plots, whilst others are more densely developed. She concludes that, despite these differences, landscaped front gardens make a positive contribution to the area's overall character.

Initial Thoughts

- The Inspector identifies a varied residential character rather than a single prevailing development pattern.
- She places weight on the contribution made by landscaped front gardens and the overall quality of the public realm.
- Have the revised proposals retained sufficient landscaping to reflect the surrounding character?
- Has the revised proposal maintained an appropriate relationship with the more spacious development adjoining the site?
- Does the revised proposal continue to provide landscaped front gardens and public realm comparable with the surrounding area?
- Have any amendments to the layout or density altered the Inspector's conclusions regarding local character?

Additional Research Questions

Local Character

- Has the applicant reassessed the surrounding character?
- Does the revised proposal continue to reflect the varied pattern of development identified by the Inspector?
- Has the relationship with the more spacious development to the north and west changed?

Landscape and Streetscape

- Have the proposed front gardens or landscape treatment changed?
- Has the quantity or quality of street planting been altered?
- Does the revised proposal continue to provide a positive streetscape?

Layout and Density

- Has the revised layout altered the spacing between dwellings?

- Does the revised proposal continue to reflect the varying densities found in the surrounding area?
- Have changes to the layout affected the character of the proposed development?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the revised proposals respond to the varied character of the surrounding area?
- Has the applicant demonstrated that the revised landscaping and layout remain appropriate?
- Are those conclusions supported by the revised layout, landscape proposals and street scenes?

Principal Question

Has the applicant demonstrated that the revised proposal continues to respond appropriately to the varied character of the surrounding residential development through its layout, landscaping and relationship with neighbouring areas?

Status ●

Paragraph 56

Inspector's Point

56. Whilst the plot ratios for proposed properties within the central and northern part of the site may not be as spacious as those off Whalley Road and Hollowhead Avenue, having regard to the nature of the village as a whole, the low overall density of development proposed on the site would be acceptable.

Summary

The Inspector accepts that some parts of the proposed development would have tighter plot ratios than neighbouring areas. However, when considered in the context of the village as a whole and the site's overall low density, she concludes that the proposed density would be acceptable.

Initial Thoughts

- The Inspector distinguishes between localised plot density and the overall density of the development.
- She concludes that tighter plot ratios in some areas are acceptable when viewed in the wider context of the village.

- Have the revised proposals altered the plot ratios within the central and northern parts of the site?
- Has the applicant demonstrated that any changes remain appropriate in relation to the surrounding character?
- Have revisions to the layout affected the Inspector's conclusion regarding the acceptability of the overall density?
- Do the revised proposals continue to strike an appropriate balance between efficient use of land and the site's physical constraints?

Additional Research Questions

Plot Ratios

- Have the plot sizes or plot ratios changed?
- Have the relationships between neighbouring dwellings been altered?
- Does the revised layout maintain an appropriate balance between built form and open space?

Density

- Has the overall density changed?
- Has the density within the central or northern parts of the site increased or decreased?
- Does the revised proposal continue to reflect the varied character of Wilpshire?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain any changes to plot ratios or density?
- Has the applicant demonstrated that the revised layout remains appropriate despite any localised changes?
- Are those conclusions supported by the revised layout and technical evidence?

Principal Question

Has the applicant demonstrated that the revised plot ratios and overall density continue to provide an appropriate response to the site's context and the varied character of the surrounding village?

Status ●

Paragraph 57

Inspector's Point

57. Given the above, I find the overall density and scale of proposed development would be acceptable. I also find the identified moderate adverse landscape harm would be localised only and not therefore cause a significant adverse effect on the wider landscape character of the area. However, although I find these aspects of the development would be acceptable in terms of the impact on the character and appearance of the area, as set out above, I find the layout and resultant visual effects on the landscape would not be acceptable. The proposal would fail to deliver a high-quality, visually attractive development.

Summary

The Inspector concludes that the proposed density, scale and wider landscape effects would be acceptable. However, she finds that the layout and resulting visual effects remain unacceptable and concludes that the proposal would fail to deliver a high-quality, visually attractive development.

Initial Thoughts

- This is the Inspector's overall conclusion on character and appearance.
- The Inspector accepts the principles of density, scale and the wider landscape effects.
- The decisive issues are the layout and the resulting visual effects.
- Has the applicant made sufficient changes to the layout to overcome the Inspector's conclusions?
- Have the visual effects identified throughout the decision been materially reduced?
- Does the revised proposal now deliver the high-quality, visually attractive development that the Inspector found lacking?
- Do the revised drawings and supporting evidence demonstrate that the Inspector's principal reasons for refusal have been addressed?

Additional Research Questions

Layout

- Has the layout been materially revised?
- Have the changes specifically addressed the Inspector's concerns regarding the northern and eastern parts of the site?
- Have the revised engineering works reduced the visual impact of the development?

Visual Effects

- Have the visual effects on PRoW 25 and the surrounding viewpoints been materially reduced?
- Has the landscape mitigation strategy been strengthened?
- Has the applicant demonstrated that the revised proposal overcomes the Inspector's conclusions regarding visual harm?

Design Quality

- Does the revised proposal now deliver a high-quality, visually attractive development?
- Have the cumulative changes to the layout, landscape strategy and engineering improved the overall design quality?
- Are those improvements supported by robust evidence?

Overall Assessment

- Which of the Inspector's findings remain applicable?
- Which findings have genuinely been overcome?
- Does the revised application demonstrate that the balance of the Inspector's conclusions should now be different?

Principal Question

Has the applicant demonstrated that the revised proposal overcomes the Inspector's principal concerns regarding layout and visual effects such that it now delivers a high-quality, visually attractive development?

Status ●

Paragraph 58

Inspector's Point

58. It would therefore cause significant harm to the character and appearance of the area and be contrary to Policy DMG1 of the CS. This policy requires, amongst other things, that developments are of a high standard of building design, sympathetic to existing and proposed land uses and consider the density, layout and relationship to surroundings, including impact on landscape character. This policy also requires that regard is had to the landscape or townscape of an area and the importance the open space has on this.

Summary

The Inspector concludes that the proposal would cause significant harm to the character and appearance of the area and would therefore conflict with Policy DMG1 of the Core Strategy. She identifies the proposal's shortcomings in relation to design quality, layout, relationship to its surroundings, landscape character and the contribution of open space.

Initial Thoughts

- This is the Inspector's formal policy conclusion on character and appearance.
- The conflict with Policy DMG1 arises from the cumulative effects identified throughout the previous paragraphs.
- Do the revised proposals overcome the specific elements of conflict identified by the Inspector?
- Does Policy DMG1 remain unchanged, or has it been amended since the appeal decision?
- If the policy has changed, does the revised proposal comply with the current policy requirements?
- Has the applicant demonstrated that the revised layout, landscape strategy and visual effects are now consistent with the requirements of Policy DMG1?
- Does the revised proposal now achieve the high standard of design required by the policy?

Additional Research Questions

Policy DMG1

- Does Policy DMG1 remain unchanged?
- Have any relevant policy requirements been amended or superseded?
- What are the current policy expectations regarding design, layout, landscape character and open space?

Character and Appearance

- Have the revised proposals overcome the identified harm to the character and appearance of the area?
- Has the revised layout improved the relationship between the development and its surroundings?
- Have the revised landscape proposals addressed the Inspector's concerns?

Design Quality

- Does the revised proposal now achieve a high standard of design?
- Has the relationship between buildings, open space and landscape improved?
- Have the cumulative amendments altered the Inspector's previous conclusions?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the proposal now complies with Policy DMG1?
- Has the applicant systematically addressed each aspect of the Inspector's findings?
- Are those conclusions supported by the revised plans and technical evidence?

External Research

- Current Development Plan policy relating to Policy DMG1 (if amended or superseded since the appeal).

Principal Question

Has the applicant demonstrated that the revised proposal overcomes the Inspector's findings of conflict with Policy DMG1 by addressing the identified harm to character, appearance, layout, landscape character and design quality?

Status ●

Paragraph 59

Inspector's Point

59. The proposal would also be contrary to paragraphs 129 and 135 of the Framework which outlines, amongst other things, the importance of securing well-designed, attractive places. It is also outlined that decisions should ensure that developments add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Summary

The Inspector concludes that the proposal conflicts with national planning policy by failing to deliver a well-designed and visually attractive development. She places particular emphasis on the requirement for development to enhance the quality of an area throughout its lifetime through good architecture, layout and effective landscaping.

Initial Thoughts

- This is the Inspector's formal conclusion on compliance with national planning policy.
- The Inspector places emphasis on the **lifetime** performance of the development, not simply its appearance upon completion.
- Effective landscaping is identified as a key component of good design.
- Do the equivalent paragraphs of the current National Planning Policy Framework remain the same, or have they been renumbered or amended?
- Has the applicant demonstrated that the revised proposal now delivers a well-designed, visually attractive development throughout its lifetime?
- Has the applicant demonstrated that the proposed landscaping will be effective over both the short and long term?
- Do the revised proposals overcome the Inspector's concerns regarding layout, visual quality and long-term landscape integration?

Additional Research Questions

National Planning Policy

- Do the equivalent provisions of the current National Planning Policy Framework remain unchanged?
- Have the relevant paragraphs been renumbered or amended since the appeal decision?
- Does the revised proposal satisfy the current national policy requirements for well-designed places?

Long-Term Design Quality

- Has the applicant demonstrated that the development will remain visually attractive throughout its lifetime?
- Does the revised proposal rely upon future landscape maturity to achieve acceptability?
- Is there evidence that the landscape strategy will be effective in both the short and long term?

Landscape and Layout

- Have the revisions improved the layout and visual relationship with the surrounding landscape?
- Has the landscape strategy been strengthened sufficiently to address the Inspector's concerns?
- Do the revised drawings and visual evidence support the applicant's conclusions?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the revised proposal now complies with national policy?
- Has the applicant specifically addressed the Inspector's conclusions regarding long-term design quality?
- Are those conclusions supported consistently across the revised application documents?

External Research

- Current version of the Ministry of Housing, Communities and Local Government's National Planning Policy Framework (to confirm the current equivalent of paragraphs 129 and 135 and any changes in wording).

Principal Question

Has the applicant demonstrated that the revised proposal now complies with the current National Planning Policy Framework by delivering a well-designed, visually attractive development that will enhance the quality of the area throughout its lifetime?

Status ●

Paragraph 60

Inspector's Point

60. The completed s106 Agreement is signed in counterpart, each with an identical clause to confirm that each counterpart is a duplicate original and that, together, they constitute one agreement.

Summary

The Inspector confirms that the completed Section 106 Agreement has been correctly executed in counterpart and that the documents together constitute a single legally binding agreement.

Initial Thoughts

- This is a factual observation regarding the execution of the Section 106 Agreement.
- The Inspector raises no concerns regarding the legal validity of the agreement.
- Has a revised Section 106 Agreement or Deed of Variation been submitted with the current application?
- Are all planning obligations secured through a valid legal agreement?
- Have any obligations changed since the appeal decision?

Additional Research Questions

Section 106 Agreement

- Has a new Section 106 Agreement been prepared?
- Has the original agreement been amended or varied?
- Are all required obligations secured?

Planning Obligations

- Have any financial contributions changed?
- Have any affordable housing, open space, highway or other obligations been amended?
- Are all obligations consistent with the revised proposals?

Legal Status

- Has the Council confirmed that the legal agreement is complete and capable of being relied upon?
- Are there any outstanding legal matters affecting the determination of the application?

Principal Question

Has the applicant secured all necessary planning obligations through an appropriate and legally effective Section 106 Agreement?

Status ●

Paragraph 61

Inspector's Point

61. Framework paragraph 58 and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (CIL Regs) confirm that planning obligations must only be sought where they meet each of the following three tests: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

Summary

The Inspector identifies the statutory and national policy tests that planning obligations must satisfy. She notes that all obligations secured through the Section 106 Agreement must be necessary, directly related to the development, and fairly and reasonably related in scale and kind.

Initial Thoughts

- This paragraph establishes the legal tests against which the planning obligations must be assessed.
- The Inspector is setting out the legislative framework rather than assessing the individual obligations.
- Do the equivalent provisions of the current National Planning Policy Framework remain the same, or have they been renumbered or amended?
- Do the planning obligations within the revised Section 106 Agreement continue to satisfy the statutory tests?
- Have any additional or amended obligations been introduced since the appeal?

Additional Research Questions

Planning Policy and Legislation

- Has the relevant paragraph of the National Planning Policy Framework been renumbered or amended?
- Does Regulation 122 remain unchanged?

- Have there been any changes to the legal tests for planning obligations?

Section 106 Obligations

- What planning obligations are secured through the revised Section 106 Agreement?
- Do they remain necessary to make the development acceptable in planning terms?
- Are they directly related to the development?
- Are they fairly and reasonably related in scale and kind?

Applicant's Response

- Have any planning obligations been amended or added since the appeal?
- Does the Committee Report explain how the statutory tests have been satisfied?
- Are there any obligations that no longer appear necessary or proportionate?

External Research

- Current version of the National Planning Policy Framework (to confirm the current equivalent of Paragraph 58, if renumbered).
- Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), if any subsequent amendments are relevant.

Principal Question

Do the planning obligations secured through the revised Section 106 Agreement satisfy the current statutory and national policy tests for planning obligations?

Status ●

Paragraph 62

Inspector's Point

62. The s106 Agreement would secure financial contributions towards 22 primary education places, enhancements to PRow 25 to provide a footbridge over Knotts Brook and re-surfacing, off-site public open space improvements to facilities at Durham Road play area and recreation ground and the monitoring of a travel plan. The s106 Agreement also includes mechanisms to secure the phased delivery of affordable housing, including First Homes, over 55's housing, and the provision of on-site landscape and public open space, along with its subsequent management and maintenance.

Summary

The Inspector identifies the planning obligations secured through the Section 106 Agreement, including contributions towards education, improvements to PRow 25, public open space, travel plan monitoring, affordable housing, older persons' housing, and the long-term management and maintenance of landscape and public open space.

Initial Thoughts

- This paragraph identifies the specific planning obligations secured through the Section 106 Agreement.
- The Inspector treats these obligations as mitigation measures forming part of the overall proposal.
- Has the revised Section 106 Agreement retained all of these obligations?
- Have any obligations been amended, removed or supplemented?
- Have the proposed enhancements to PRow 25 changed, and if so, do they influence the Inspector's previous conclusions regarding visual effects and user experience?
- Has the approach to affordable housing, over-55s housing or open space provision changed?

Additional Research Questions

Section 106 Obligations

- Have the education contributions changed?
- Have the obligations relating to PRow 25 been amended?

- Have the public open space obligations changed?
- Is travel plan monitoring still secured?

PRoW 25

- Have the proposed footbridge and resurfacing works changed?
- Were these works carried forward into the revised application?
- Do they have any bearing on the Inspector's conclusions regarding the experience of PRoW 25?

Housing and Open Space

- Has the affordable housing provision changed?
- Has the over-55s housing provision changed?
- Have the arrangements for landscape management and maintenance been amended?
- Are all public open space obligations still secured?

Applicant's Response

- Does the revised Section 106 Agreement secure all necessary obligations?
- Have any planning obligations been altered to reflect changes to the revised proposal?
- Does the Committee Report explain any amendments to the legal agreement?

Principal Question

Has the applicant secured all necessary planning obligations through the revised Section 106 Agreement, and have any changes to those obligations affected the planning assessment of the revised proposal?

Status ●

Paragraph 63

Inspector's Point

63. Policy DMI 1 of the CS sets out the infrastructure that new developments are required to provide or contribute to and includes the provision of education, open space, affordable housing and improvements to highway safety that cannot be covered by planning condition or s278 Highway Agreement.

Summary

The Inspector identifies Policy DMI 1 as the relevant local planning policy governing infrastructure contributions. She notes that it requires new development to provide or contribute towards infrastructure including education, open space, affordable housing and highway improvements where these cannot be secured through planning conditions or a Section 278 Agreement.

Initial Thoughts

- The Inspector identifies the local policy basis for the planning obligations.
- This paragraph provides the policy justification for the infrastructure secured through the Section 106 Agreement.
- Does Policy DMI 1 remain unchanged, or has it been amended since the appeal decision?
- Have the infrastructure requirements associated with the revised proposal changed?
- Do the revised planning obligations continue to satisfy the requirements of Policy DMI 1?
- Have any additional infrastructure requirements emerged since the appeal?

Additional Research Questions

Policy DMI 1

- Have any relevant policy requirements been amended or superseded?
- What infrastructure contributions are currently required by the policy?

Infrastructure Contributions

- Have the education contributions changed?
- Have the public open space obligations changed?
- Has the affordable housing provision changed?
- Have the highway-related obligations changed?

Applicant's Response

- Does the revised Planning Statement explain how the proposal complies with Policy DMI 1?
- Does the revised Section 106 Agreement secure all necessary infrastructure contributions?
- Does the Committee Report conclude that the proposal complies with Policy DMI 1?

External Research

- Current Development Plan policy relating to Policy DMI 1 (if amended or superseded since the appeal).

Principal Question

Has the applicant demonstrated that the revised proposal complies with the current requirements of Policy DMI 1 by securing all necessary infrastructure through appropriate planning obligations?

Status ●

Paragraph 64

Inspector's Point

64. This policy is supported, in some cases, by formulas used to calculate the amount of the contribution. I am satisfied that the pressure on these services and facilities will potentially increase as a result of the appeal proposal and consider that the scale of contributions towards the provision of education places, off-site open space, PRow improvements and the monitoring of a travel plan would comply with the tests set out above. The provision and maintenance of on-site public open space is necessary in order to ensure that the proposal functions as planned and the proposal would secure affordable housing as required by Policy H3 of the CS.

Summary

The Inspector concludes that the proposed planning obligations are justified and satisfy the statutory tests. She finds that the proposed contributions towards education, public open space, PRow improvements and travel plan monitoring are necessary and proportionate, and that the provision of on-site public open space and affordable housing is required for the development to function as intended.

Initial Thoughts

- The Inspector concludes that the proposed planning obligations satisfy the statutory tests.
- She accepts that the scale of the proposed contributions is appropriate.
- The provision and long-term maintenance of on-site public open space is identified as an essential component of the development.
- Has the revised Section 106 Agreement retained these obligations?
- Have any of the financial contributions or infrastructure requirements changed?
- Does the revised proposal continue to provide the same extent of public open space and affordable housing?
- Does Policy H3 remain unchanged, or has it been amended since the appeal decision?

Additional Research Questions

Planning Obligations

- Have the education contributions changed?
- Have the PRow improvement obligations changed?
- Have the public open space contributions changed?
- Is travel plan monitoring still secured?

Public Open Space

- Has the quantity or distribution of on-site public open space changed?
- Are the long-term management and maintenance arrangements unchanged?
- Does the revised proposal continue to function as intended?

Affordable Housing

- Has the affordable housing provision changed?
- Does the revised proposal continue to comply with Policy H3?
- Have the tenure mix or delivery arrangements changed?

Applicant's Response

- Does the revised Section 106 Agreement secure all necessary obligations?
- Does the Planning Statement explain any amendments to the planning obligations?
- Does the Committee Report conclude that the revised obligations remain necessary and proportionate?

External Research

- Current Development Plan policy relating to **Policy H3** (if amended or superseded since the appeal).

Principal Question

Has the applicant demonstrated that the revised proposal continues to secure all necessary planning obligations, public open space and affordable housing in accordance with current policy and the statutory tests?

Status ●

Paragraph 65

Inspector's Point

65. In summary, I find the planning obligations relating to affordable housing, education, PRow 25, on and off-site open space and travel plan are necessary to make the development acceptable in planning terms, directly related to the development and are fairly and reasonably related in scale and kind to the appeal development. They meet the statutory and policy tests of the CIL Regs and the Framework and the requirements of the CS. I am therefore able to take them into account in my decision.

Summary

The Inspector concludes that the planning obligations satisfy the statutory and policy tests and can therefore be given full weight in determining the appeal. She finds that the obligations relating to affordable housing, education, PRow 25, public open space and the travel plan are all necessary, directly related to the development and proportionate.

Initial Thoughts

- This is the Inspector's overall conclusion on the planning obligations.
- The Inspector confirms that the Section 106 obligations carry full weight in the planning balance.
- Has the revised Section 106 Agreement retained all of the obligations relied upon by the Inspector?
- Do the revised obligations continue to satisfy the statutory and policy tests?
- Have any planning obligations been amended, removed or added since the appeal?
- Do the current Development Plan policies and the National Planning Policy Framework continue to support the Inspector's conclusions?

Additional Research Questions

Planning Obligations

- Have all of the planning obligations identified by the Inspector been retained?
- Have any obligations been amended or removed?
- Have any additional obligations been secured through the revised application?

Policy Compliance

- Do the planning obligations continue to satisfy the statutory tests?
- Do they continue to comply with the current National Planning Policy Framework?
- Do they continue to comply with the current Core Strategy policies?

Applicant's Response

- Does the revised Section 106 Agreement secure all necessary planning obligations?
- Does the Planning Statement explain any changes to the legal agreement?
- Does the Committee Report conclude that the planning obligations remain compliant with the statutory tests?

External Research

- Current National Planning Policy Framework (only to confirm any changes to the relevant planning obligation provisions, if necessary).
- Current Community Infrastructure Levy Regulations 2010 (as amended) (only if subsequent amendments are relevant).

Principal Question

Has the applicant demonstrated that the revised planning obligations continue to satisfy the statutory and policy tests and can therefore be afforded full weight in determining the application?

Status ●

Paragraph 66

Inspector's Point

66. Interested parties have raised several other concerns including, but not limited to, highway safety, flood risk and drainage, wildlife and biodiversity interests, local infrastructure, facilities and services, parking, privacy, pollution, air quality, climate change and loss of agricultural land. However, the Council did not refuse the application for these reasons and as I am dismissing the appeal on other grounds, such matters do not alter my overall conclusion and have therefore not had a significant bearing on my decision.

Summary

The Inspector acknowledges a range of concerns raised by interested parties but notes that these did not form reasons for refusal by the Council. As the appeal is dismissed on other grounds, she concludes that these matters do not materially affect his decision.

Initial Thoughts

- The Inspector acknowledges these issues but does not determine them in detail.
- These matters were not reasons for refusal and therefore carried little weight in the appeal decision.
- Has the Council's position changed in the current application?
- Have any of these matters now become reasons for refusal or significant concerns?
- Have revised technical reports been submitted which materially alter the position on any of these issues?
- If any of these matters have changed since the appeal, do they now influence the overall planning balance?

Additional Research Questions

Council Position

- Does the current Committee Report identify any of these matters as concerns?
- Have any become reasons for refusal or recommended planning conditions?
- Has the Council's position changed since the appeal?

Technical Evidence

- Have revised technical reports been submitted relating to:
 - Highway safety?
 - Flood risk and drainage?
 - Ecology and biodiversity?
 - Air quality?
 - Climate change?
 - Agricultural land?
- Do those reports materially change the planning assessment?

Public Representations

- Have similar concerns been raised by interested parties in the current application?
- Have any new issues emerged?
- Have consultation responses altered the position since the appeal?

Overall Planning Balance

- Do any of these matters now carry greater weight than they did at appeal?
- If so, should they influence the overall assessment of the revised proposal?

Principal Question

Have any of the matters that the Inspector considered to have limited bearing on the appeal become material considerations in the assessment of the revised application?

Status ●

Planning Balance

Paragraph 67

Inspector's Point

67. The Framework seeks to boost the supply of housing and has a strong pro-growth agenda. The proposal would provide for the delivery of 84 new dwellings and would develop an allocated housing site in an accessible location. Therefore, I give this matter considerable weight in favour of the proposed development.

Summary

The Inspector recognises that the proposal would deliver 84 new dwellings on an allocated housing site in an accessible location. She concludes that this attracts considerable weight in favour of the proposal in the overall planning balance.

Initial Thoughts

- This marks the beginning of the Inspector's planning balance.
- The Inspector gives considerable positive weight to the delivery of housing on an allocated site.
- The principle of residential development is not in dispute.
- Have there been any changes to national housing policy since the appeal decision?
- Has the proposed number of dwellings changed?
- Does the revised proposal continue to deliver the same planning benefits identified by the Inspector?
- Have changes to the scheme affected the weight that should be given to these benefits?

Additional Research Questions

Housing Delivery

- Has the proposed number of dwellings changed?
- Does the revised proposal continue to develop the allocated housing site?
- Has the housing mix changed?
- Have the affordable housing proposals changed?

Planning Policy

- Has the relevant National Planning Policy Framework guidance on housing delivery or the planning balance changed?
- Has the Council's housing land supply position changed since the appeal?
- Would those changes affect the weight to be given to the delivery of housing?

Planning Benefits

- Does the revised proposal continue to provide the planning benefits identified by the Inspector?
- Have any additional public benefits arisen?

- Have any previously identified benefits been reduced or removed?

Applicant's Response

- Does the Planning Statement explain the planning benefits of the revised proposal?
- Does the Committee Report identify the same benefits?
- Are those benefits materially different from those considered by the Inspector?

External Research

- Current National Planning Policy Framework (only if changes to housing policy or the planning balance are relevant).
- Current housing land supply position for Ribble Valley (only if relied upon in the current application).

Principal Question

Does the revised proposal continue to deliver the same planning benefits identified by the Inspector, and has anything changed that would affect the weight to be given to those benefits in the planning balance?

Status ●

Paragraph 68

Inspector's Point

68. Nonetheless, the proposal is in conflict with the development plan in respect of the effects on character and appearance.

Summary

The Inspector concludes that, despite the proposal's benefits, it conflicts with the development plan because of its harmful effects on the character and appearance of the area.

Initial Thoughts

- This is the Inspector's overarching conclusion on development plan compliance.
- The conflict with the development plan arises solely from the findings on character and appearance.

- Has the applicant demonstrated that the revised proposal overcomes the identified harm to character and appearance?
- If the identified harm has not been overcome, does the conflict with the development plan remain?
- Has anything changed in the current Development Plan that would alter this conclusion?
- Does the Committee Report reach the same conclusion regarding development plan compliance?

Additional Research Questions

Development Plan Compliance

- Does the revised proposal continue to conflict with Policy DMG1?
- Have any relevant Development Plan policies changed since the appeal decision?
- Does the current policy framework alter the Inspector's conclusion?

Character and Appearance

- Have the amendments to the layout, landscape strategy and visual mitigation overcome the Inspector's concerns?
- Does the revised proposal now provide a high-quality, visually attractive development?
- Is there sufficient evidence to demonstrate that the previous harm has been addressed?

Overall Assessment

- Does the Committee Report conclude that the proposal now complies with the Development Plan?
- If so, what evidence supports that conclusion?
- Have the applicant's amendments materially altered the planning assessment?

External Research

- Current Development Plan policies (only if amended or superseded since the appeal decision).

Principal Question

Has the applicant demonstrated that the revised proposal overcomes the Inspector's findings on character and appearance such that the previous conflict with the Development Plan no longer exists?

Status ●

Paragraph 69

Inspector's Point

69. The infrastructure improvements delivered through the signed s106 are required to meet policy objectives to address the impact of the development and therefore cannot be deemed as a benefit. They are of neutral weight in the planning balance. Nonetheless, the delivery of 30% affordable housing, amounting to 25 new homes, would be deemed to be a direct benefit of the scheme. It has been identified by the appellant that there is an unmet need for affordable homes in Wilpshire and the Ribble Valley and this would be partly addressed by the proposal. As such, the provision affordable homes would be a benefit of significant weight in favour of the development.

Summary

The Inspector concludes that the infrastructure secured through the Section 106 Agreement should be afforded neutral weight because it merely mitigates the impacts of the development. However, she finds that the provision of 30% affordable housing, equating to 25 dwellings, is a genuine public benefit that attracts significant weight in favour of the proposal.

Initial Thoughts

- The Inspector distinguishes between mitigation and planning benefits.
- Infrastructure secured through the Section 106 Agreement is not treated as a benefit because it is necessary to make the development acceptable.
- The provision of affordable housing is given significant positive weight.
- Has the affordable housing provision changed within the revised proposal?
- Does the evidence continue to demonstrate an unmet need for affordable housing in Wilpshire and Ribble Valley?
- Has the applicant provided updated evidence regarding affordable housing need?
- Have any changes to affordable housing policy affected the weight that should be given to this benefit?

Additional Research Questions

Affordable Housing

- Has the affordable housing provision changed?
- Does the revised proposal continue to provide 30% affordable housing?
- Has the tenure mix changed?
- Have the delivery arrangements changed?
- Does the revised proposal continue to provide 25 affordable dwellings?

Housing Need

- Has updated evidence been provided regarding affordable housing need?
- Does the Council continue to identify an unmet need within Wilpshire and the wider Ribble Valley?
- Has the evidence base changed since the appeal decision?

Planning Balance

- Do the infrastructure obligations continue to be mitigation rather than planning benefits?
- Has the revised Planning Statement identified any additional public benefits?
- Has the balance between planning benefits and identified harm changed?

Applicant's Response

- Does the Planning Statement explain how the affordable housing provision has been maintained or amended?
- Does the Committee Report identify the same level of benefit?
- Has the applicant demonstrated that the affordable housing benefits continue to attract significant weight?

External Research

- Current affordable housing evidence for Ribble Valley (only if relied upon within the revised application).
- Current Development Plan policy relating to affordable housing (if amended since the appeal).

Principal Question

Has the applicant demonstrated that the revised proposal continues to deliver significant affordable housing benefits, and has anything changed that would alter the weight to be given to those benefits in the planning balance?

Status ●

Paragraph 70

Inspector's Point

70. The proposal would also deliver economic and social benefits through the creation of construction jobs and training as well as post construction through future occupiers spending and potentially working in the local area. However, this gain would be delivered on any housing site and therefore this provides only moderate weight in support of the proposed development. The proposal would provide biodiversity benefit through enhancement and maintenance of landscaping including replacement and new tree planting and wildflower planting. I afford this moderate weight.

Summary

The Inspector identifies economic, social and biodiversity benefits arising from the proposal. She gives moderate weight to the economic and social benefits because they are common to most housing developments. She also gives moderate weight to the proposed biodiversity enhancements through landscape management, replacement tree planting, new tree planting and wildflower planting.

Initial Thoughts

- The Inspector gives moderate weight to both the economic/social benefits and the biodiversity enhancements.
- She considers the economic benefits to be generic rather than unique to this proposal.
- The biodiversity benefits rely upon the successful implementation and long-term management of the landscape proposals.

- Has the biodiversity strategy changed since the appeal?
- Has the applicant demonstrated that the revised landscape proposals continue to deliver the biodiversity enhancements identified by the Inspector?
- Have any changes to the layout or engineering works affected the proposed biodiversity gains?
- Has the applicant provided updated biodiversity evidence, such as Biodiversity Net Gain calculations, that alters the planning balance?

Additional Research Questions

Economic and Social Benefits

- Have the economic or social benefits changed?
- Has the revised proposal introduced any additional community benefits?
- Are the economic benefits materially different from those considered by the Inspector?

Biodiversity

- Has the landscaping strategy changed?
- Have the proposed replacement and new tree planting arrangements changed?
- Has the wildflower planting strategy been amended?
- Has the applicant submitted updated ecological or Biodiversity Net Gain evidence?
- Do the revised proposals continue to provide the biodiversity benefits identified by the Inspector?

Applicant's Response

- Does the Planning Statement explain any changes to the economic, social or biodiversity benefits?
- Do the ecological reports demonstrate that biodiversity benefits have been maintained or improved?
- Does the Committee Report identify any change in the weight that should be given to these benefits?

External Research

- Current Biodiversity Net Gain requirements (only if relevant to the revised application and relied upon in the submitted evidence).

Principal Question

Has the applicant demonstrated that the revised proposal continues to deliver the economic, social and biodiversity benefits identified by the Inspector, and has any updated evidence altered the weight that should be given to those benefits in the planning balance?

Status ●

Paragraph 71

Inspector's Point

71. The development would incorporate open space for use by occupants of the proposed dwellings and others but this is an expectation of well-designed schemes. Measures such as solar panels and electric vehicle charging points would contribute to climate change adaptation, but there is little to suggest the development would be particularly innovative or that it would go beyond the requirements of the development plan in this regard.

Summary

The Inspector acknowledges that the proposal would provide public open space and incorporate sustainability measures such as solar panels and electric vehicle charging points. However, she concludes that these are expected features of a well-designed development and do not provide additional planning benefits beyond compliance with policy.

Initial Thoughts

- The Inspector gives little additional weight to these measures in the planning balance.
- She considers public open space and sustainability measures to be policy expectations rather than exceptional benefits.
- Has the revised proposal introduced any additional sustainability measures beyond those considered at appeal?
- Has the applicant demonstrated that the revised proposal goes beyond current policy requirements?
- Have changes to national or local policy altered what is now regarded as standard practice?

- Has the applicant sought to rely on sustainability measures as significant planning benefits, and if so, is that justified?

Additional Research Questions

Sustainability

- Have the sustainability measures changed since the appeal?
- Have additional renewable energy technologies been introduced?
- Have energy efficiency measures been enhanced?
- Does the revised proposal exceed current policy requirements?

Climate Change

- Has the applicant provided updated evidence regarding climate change mitigation or adaptation?
- Do the revised proposals provide measurable environmental improvements beyond policy compliance?
- Have changes to Building Regulations or planning policy altered the baseline against which these measures should be assessed?

Public Open Space

- Has the quantity or quality of public open space changed?
- Does the revised proposal provide any additional community benefit beyond that expected of a well-designed development?

Applicant's Response

- Does the Planning Statement identify sustainability as a significant planning benefit?
- Is that claim supported by the submitted technical evidence?
- Does the Committee Report identify any additional weight to be given to the revised sustainability measures?

External Research

- Current national and local planning policy relating to climate change and sustainable design (only if amended since the appeal and relevant to the revised application).

Principal Question

Has the applicant demonstrated that the revised proposal delivers sustainability and climate change benefits beyond current policy expectations, such that they should attract additional weight in the planning balance?

Status ●

Paragraph 72

Inspector's Point

72. Taking all of these considerations together in the overall planning balance, the harm that I have found to the character and appearance of the area would not be outweighed by the benefits when taken individually or cumulatively.

Summary

The Inspector concludes that, having weighed all of the identified benefits against the identified harm, the adverse effects on the character and appearance of the area remain determinative. Neither the individual benefits nor their cumulative effect outweigh the identified harm.

Initial Thoughts

- This is the Inspector's overall planning balance.
- The Inspector concludes that the identified harm remains decisive despite the significant benefits of the proposal.
- Has the applicant demonstrated that the identified harm has been materially reduced or removed?
- Have any new planning benefits been introduced that were not before the Inspector?
- Has anything changed that would alter the overall planning balance?
- Does the revised proposal now demonstrate that the cumulative benefits outweigh any remaining harm?
- This paragraph should be revisited after completing the review of all preceding evidence, as its conclusion depends upon whether the Inspector's earlier findings have genuinely been overcome.

Additional Research Questions

Character and Appearance

- Have the Inspector's findings on character and appearance been overcome?
- Does the revised proposal still result in unacceptable visual effects?
- Have the layout, landscape strategy and engineering works been sufficiently improved?

Planning Benefits

- Have any new planning benefits arisen since the appeal?
- Has the weight to be afforded to the identified benefits changed?
- Do the revised proposals deliver additional public benefits?

Overall Planning Balance

- Do the revised proposals alter the balance between planning benefits and identified harm?
- Does the Committee Report reach the same planning balance as the Inspector?
- If a different conclusion is reached, what evidence justifies that change?

Applicant's Response

- Does the Planning Statement explain why the planning balance should now be different?
- Has the applicant systematically addressed the Inspector's reasons for dismissing the appeal?
- Is there robust evidence demonstrating that the cumulative planning balance has changed?

Principal Question

Has the applicant demonstrated, through substantive changes to the proposal and robust supporting evidence, that the overall planning balance has changed such that the benefits now outweigh any remaining harm?

Status ●

Paragraph 73

Inspector's Point

73. The proposal is in conflict with the development plan, when read as a whole. Material considerations have not been shown to indicate that a decision should be taken otherwise than in accordance with it.

Summary

The Inspector concludes that the proposal conflicts with the Development Plan when considered as a whole. She further concludes that the material considerations in favour of the proposal are insufficient to justify a decision contrary to the Development Plan.

Initial Thoughts

- This is the Inspector's overall planning conclusion.
- The conclusion follows directly from the planning balance undertaken in the preceding paragraphs.
- Has the applicant demonstrated that the revised proposal now complies with the Development Plan when read as a whole?
- Have the material considerations changed since the appeal decision?
- Have the amendments to the proposal overcome the Inspector's reasons for finding conflict with the Development Plan?
- Does the revised application now provide sufficient material considerations to justify a different planning conclusion?
- This paragraph should be revisited once the review of all previous evidence has been completed, as the final conclusion depends upon whether the Inspector's earlier findings have genuinely been overcome.

Additional Research Questions

Development Plan Compliance

- Does the revised proposal now comply with the Development Plan when read as a whole?
- Have any relevant Development Plan policies changed since the appeal decision?
- Does the Committee Report conclude that the proposal now accords with the Development Plan?

Material Considerations

- Have any new material considerations arisen since the appeal?
- Have changes to national policy affected the planning balance?
- Has the applicant identified any new benefits or evidence that were not before the Inspector?

Overall Assessment

- Have the Inspector's principal reasons for dismissing the appeal been overcome?
- Does the cumulative evidence support a different planning conclusion?
- If a different conclusion is reached, what evidence justifies departing from the Inspector's findings?

External Research

- Current Development Plan policies (only if amended or superseded since the appeal decision).
- Current National Planning Policy Framework (only if changes are relied upon in the revised application).

Principal Question

Has the applicant demonstrated that the revised proposal now accords with the Development Plan as a whole, or that material considerations justify reaching a different conclusion from that reached by the Inspector?

Status ●

Paragraph 74

Inspector's Point

74. Therefore, for the reasons given above the appeal should be dismissed.

Summary

Having considered all of the evidence, the Inspector concludes that the appeal should be dismissed.

Initial Thoughts

- This is the Inspector's formal decision.
- The conclusion follows directly from the findings reached throughout the decision.
- Has the applicant demonstrated that the revised proposal has overcome the Inspector's reasons for dismissing the appeal?
- Does the evidence submitted with the revised application justify a different conclusion?
- This paragraph should be revisited only after the review of all preceding evidence has been completed, as the outcome depends entirely upon whether the Inspector's findings have been satisfactorily addressed.

Additional Research Questions

Overall Assessment

- Have the Inspector's reasons for dismissing the appeal been overcome?
- Does the revised evidence justify a different planning conclusion?
- Does the Committee Report explain why a different recommendation has been reached (if applicable)?

Overall Planning Balance

- Does the revised proposal alter the overall planning balance?
- Do the cumulative amendments materially reduce or remove the identified harm?
- Are there any new material considerations which were not before the Inspector?

Principal Question

Has the applicant demonstrated, through substantive amendments and robust supporting evidence, that the Inspector's reasons for dismissing the appeal no longer apply?

Status ●

Appendix C - Response to the Inspector's Decision

Evidence-Based Review of the Revised Planning Application

Paragraph 3

Inspector's Point

3. I visited the appeal site, accompanied, on 7 January 2025. The residents of 3 Wilpshire Banks, 4 Whalley Road and 6 Whalley Road also requested that I view the appeal site from their property, and I was able to do so on my site visit. However, due to inclement weather on that day, I carried out a further unaccompanied visit to the wider environs on 14 January in order to obtain optimal views of the site from public viewpoints, including public rights of way.

Summary

The Inspector considered weather conditions sufficiently poor on 7 January 2025 to justify a second site visit in order to properly assess the site from public viewpoints.

Initial Observations

- The Inspector records that inclement weather affected her first site visit. Was this simply poor visibility, or did the steep topography and access constraints also influence what could reasonably be assessed?
- We have photographs that show Salesbury View during snow and ice.
- Salesbury View has an approximate gradient of 1:12, with no alternative vehicular access into the development.
- If the access road becomes impassable during severe weather, residents, visitors and emergency services may all be affected.
- It is not evident that winter operation of the access was specifically examined within the highway assessment.

General Observation:

The Inspector records that inclement weather affected her first site visit. It would be useful to understand whether this related solely to visibility or whether the site's steep topography and access constraints also influenced what could reasonably be assessed. Local residents have described treacherous winter conditions on Salesbury View each year when it snows and have kindly shared photographs accordingly. Salesbury View has an approximate gradient of 1:12; there is no alternative vehicular access into the development, and I do not believe winter operation of the access was specifically considered as part of the highway assessment.

Scope of Document Review

The following documents have been reviewed to determine whether the applicant has assessed the operation of the site's sole vehicular access during periods of severe winter weather:

- Transport Assessment
- Travel Plan
- Highway Consultation Responses
- Design & Access Statement
- Explanation of Key Changes

No specific assessment of winter operation, snow or ice conditions, precautionary gritting, emergency service access during severe winter weather, or contingency arrangements should the site's sole vehicular access become impassable has been identified during this review.

Review of Submitted Evidence

Document 67/68 – Amended Transport Assessment

Document purpose

The Transport Assessment has been prepared by SCP on behalf of Persimmon Homes Lancashire in support of the planning application and assesses the transport implications of the proposed residential development at Salesbury View.

Scope of assessment

The contents confirm that the assessment comprises:

- Existing Conditions;
- Proposed Development;
- Planning Policy Context;
- Accessibility;

- Future Baseline Traffic Conditions;
- Trip Generation;
- Highway Impact; and
- Summary and Conclusions.

The appendices include traffic surveys, radar speed surveys, visibility splays, swept path analysis and junction modelling. No chapter or appendix is identified relating specifically to winter operation, snow or ice conditions, winter resilience, precautionary gritting or emergency access during severe winter weather.

Existing site access

The assessment records that:

"Vehicular access to the site is currently provided via a gated access at the eastern limit of Salesbury View."

It also confirms that Salesbury View forms the western boundary of the site and provides access to the A666 Whalley Road.

Description of Salesbury View

The Transport Assessment describes Salesbury View as:

- a quiet residential cul-de-sac;
- serving approximately seven properties;
- approximately 5.5m carriageway width;
- footways between approximately 2.0m–2.3m;
- subject to a 30mph speed limit;
- connecting with the A666 at a priority-controlled crossroads.

Winter operation

During this review, no reference has been identified within the Transport Assessment to:

- winter operation of Salesbury View;

- snow or ice conditions;
- precautionary gritting;
- winter resilience of the access;
- contingency arrangements if the access became impassable;
- emergency service access during severe winter weather.

The assessment instead focuses upon conventional transport planning matters including accessibility, highway capacity, traffic generation, visibility, junction modelling and vehicle tracking.

Documents 69/70 – Amended Travel Plan

The Travel Plan accompanies the Transport Assessment and seeks to encourage sustainable travel choices by residents.

The reviewed material confirms:

- vehicular access via Salesbury View;
- promotion of walking, cycling and public transport;
- travel planning measures intended to reduce private vehicle use.

During this review no reference has been identified to:

- operation during snow or ice;
- winter maintenance;
- precautionary gritting;
- emergency service access during severe winter weather;
- contingency arrangements should Salesbury View become temporarily unavailable.

Document 87 – Explanation of Key Changes

The document explains amendments made to the application following the previous appeal.

During this review no amendment has been identified specifically addressing:

- winter operation of Salesbury View;
- highway resilience during severe weather;
- emergency access during snow or ice; or
- alternative vehicular access arrangements.

Documents 91/92 – Highway Consultation Responses

The Highway Authority confirms that:

- access is to be taken from an extension of Salesbury View;
- the amended Transport Assessment has been reviewed;
- no highway objection is raised subject to conditions and mitigation.

The consultation responses consider matters including:

- highway capacity;
- visibility;
- junction operation;
- internal layout;
- off-site highway works;
- wet-weather vehicle speeds on Whalley Road;
- adoptability.

During this review, no reference has been identified to:

- operation during snow or ice;
- winter resilience of the site's sole access;
- precautionary gritting;
- emergency service access during severe winter weather;
- contingency arrangements should Salesbury View become impassable.

Documents 13/14 – Design & Access Statement

The Design & Access Statement explains the design rationale, site analysis, movement strategy and proposed access arrangements.

During this review no reference has been identified specifically addressing:

- winter operation of the access;
- severe weather resilience;
- snow or ice conditions affecting Salesbury View;
- emergency access during adverse winter conditions.

External Research

Lancashire County Council – Winter Maintenance / Precautionary Gritting Network

Lancashire County Council publishes an interactive gritting map showing the county's primary and secondary precautionary gritting routes together with grit bin locations. The Council confirms that only priority routes are routinely treated and that it is not possible to grit every road in Lancashire. Priority routes principally comprise motorways, A roads, B roads, routes serving hospitals, emergency services, important public transport corridors and single routes into villages.

No evidence has been identified within the submitted Transport Assessment confirming whether Salesbury View forms part of Lancashire County Council's precautionary gritting network. Accordingly, no reliance can be placed on routine precautionary gritting when assessing the site's year-round accessibility.

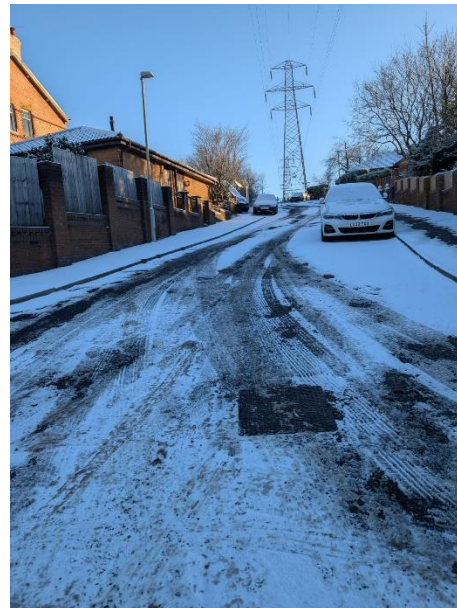
Lancashire County Council – Winter Service Policy

Lancashire County Council's Winter Service Plan confirms that the authority operates a risk-based winter maintenance service between October and April. Decisions on precautionary salting are made using weather forecasts, road surface temperatures and local conditions. The Council also makes clear that:

- not every road is gritted;
- precautionary treatment is focused on the priority network;
- winter weather can still make roads hazardous even after treatment; and
- motorists should never assume a road has been gritted.

This reinforces the importance of understanding whether Salesbury View itself forms part of the precautionary gritting network, particularly where it represents the sole means of vehicular access to a proposed residential development.

Salesbury View Photographs – Winter 2024



Assessment against Research Questions

Research Question	Evidence-based Answer
Did the Highway Authority consider winter conditions or only dry-weather vehicle tracking?	The reviewed Highway Authority response considers traffic impact, junction capacity, visibility, wet-weather speeds on Whalley Road, off-site works and adoptability. No evidence has been identified that winter operation, snow, ice or severe winter conditions were specifically assessed.
Is Salesbury View included on Lancashire County Council's precautionary gritting network?	This has not been confirmed through the planning application documents. External research identified Lancashire County Council's precautionary gritting network; however, no evidence has yet been identified confirming whether Salesbury View forms part of that network.
Is there evidence within the Transport Assessment that winter resilience has been considered?	No. The Transport Assessment assesses conventional transport matters including accessibility, highway capacity, visibility, junction modelling and vehicle tracking. No winter resilience assessment has been identified.
Has emergency service access during snow and ice been assessed?	No evidence has been identified that emergency service access has been assessed during snow or ice conditions.
Is there an alternative means of access should Salesbury View become impassable?	No alternative vehicular access has been identified within the reviewed evidence. The development is consistently described as being accessed via Salesbury View.
Was the Inspector's second visit undertaken solely because of visibility, or did weather also affect accessibility?	The Appeal Decision records that the second visit was undertaken to obtain optimal public viewpoints. It does not state that site accessibility was affected by the weather.
Do any of the application documents acknowledge the implications of steep gradients during adverse weather?	No evidence has been identified that the implications of steep gradients during snow or ice have been considered within the reviewed documents.

Principal Question

Has the applicant demonstrated that the site's only means of vehicular access can operate safely throughout the year, including periods of severe winter weather, for residents, visitors and emergency services?

Evidence-based answer

No evidence has been identified within the submitted planning application demonstrating that the operation of the site's sole vehicular access has been specifically assessed during periods of severe winter weather.

The Transport Assessment, Travel Plan and Highway Authority consultation responses assess conventional highway matters including traffic generation, junction capacity, visibility, accessibility, servicing and highway safety. However, no evidence has been identified of:

- winter resilience of Salesbury View;
- operation during snow or ice;
- precautionary gritting arrangements;
- emergency service access during severe winter weather; or
- contingency arrangements should the sole access become temporarily impassable.

Accordingly, the submitted evidence does not demonstrate that year-round operation of the site's only vehicular access has been assessed under severe winter conditions.

Evidence-based Conclusion

The Inspector's decision records that the second site visit was undertaken because inclement weather prevented optimal assessment of public viewpoints. It does not state that the site access was unsafe or impassable during the first visit.

However, the revised application evidence reviewed for Paragraph 3 does not demonstrate that the applicant has assessed the operation of the site's sole vehicular access during snow, ice or severe winter weather. The Transport Assessment and Travel Plan identify access via Salesbury View and assess conventional highway matters, including traffic impact, visibility, accessibility, junction capacity and servicing. The Highway Authority response similarly addresses traffic impact, visibility, wet-weather speeds on Whalley Road, off-site works and adoptability. No evidence has been identified of a winter resilience assessment, gritting assessment, emergency access assessment during snow/ice, or alternative vehicular access should Salesbury View become impassable.

A separate Winter Access and Highway Resilience Review has therefore been initiated to examine these matters in greater detail, including the operation of Salesbury View during severe winter conditions, precautionary gritting arrangements, and the implications for residents, visitors and emergency service access. The findings of that review should be read alongside this assessment.

Outcome: ❌ Not overcome on the submitted evidence.

Paragraph 4

Inspector's Point

4. A new version of the National Planning Policy Framework (the Framework) came into effect in December 2024. Accordingly for the purposes of this decision I have referred to the latest version of the Framework. The main parties have been given the opportunity to comment on the revised Framework. Therefore, I am satisfied that no one would be prejudiced by this change to the national policy context.

Summary

The Inspector confirms that the appeal has been determined against the December 2024 National Planning Policy Framework (NPPF), noting that all parties were given the opportunity to comment on the revised national policy before the appeal was decided. The Inspector is satisfied that applying the updated Framework does not prejudice either party.

Initial Thoughts

- What changes were introduced by the December 2024 NPPF and which are relevant to this appeal?
- Do any of the December 2024 changes strengthen or weaken the Inspector's conclusions regarding design, landscape and visual impact?
- Does the revised NPPF alter the balance between housing delivery and other planning considerations, or simply reinforce the existing planning balance?
- What weight should now be given to the Government's objective of significantly increasing housing delivery?
- Are there any new or revised NPPF policies that support the neighbours' concerns regarding landscape, design quality or residential amenity?
- Does the updated policy context affect only the planning balance, or does it also change the way individual policies should be interpreted?
- Has the applicant accurately explained and applied the relevant changes introduced by the December 2024 NPPF within the Planning Statement?

General Observation:

The Inspector records that the appeal was determined against the December 2024 National Planning Policy Framework (NPPF) and is satisfied that all parties had the opportunity to comment on the revised national policy. The key issue is therefore not whether the updated Framework applied to the appeal, but whether the December 2024 changes materially alter the planning balance or the weight to be afforded to the harms previously identified by the Inspector. This review will therefore distinguish between changes in national planning policy, the applicant's interpretation of those changes, and whether the revised application demonstrates that the Inspector's previous concerns have genuinely been overcome.

Review of Submitted Evidence

Document 119 – Planning Statement

Document Purpose

The Planning Statement has been prepared in support of the revised planning application and explains why the applicant considers planning permission should now be granted following dismissal of the previous appeal. It reviews the planning policy context, the changes made to the scheme and the applicant's assessment of the planning balance.

Relevant to Paragraph 4

The Planning Statement places considerable emphasis on the December 2024 National Planning Policy Framework and the Government's objective of increasing housing delivery. It also refers to Ribble Valley's housing land supply position and argues that these changes weigh in favour of granting planning permission.

The document continues to assess the proposal against wider planning considerations including design quality, landscape and visual impact, accessibility, highways, ecology, drainage and residential amenity. It does not suggest that these matters are no longer relevant; rather, it argues that the revised proposals, when considered alongside the updated policy context, are now acceptable.

Comparison with the Appeal Decision indicates that the applicant relies upon both changes in national planning policy and physical amendments to the scheme when seeking to justify the revised proposal. The relative importance of each will become clearer through the remaining sections of this review.

Document 87 – Explanation of Key Changes

Document Purpose

This document has been prepared to identify the amendments made to the application following dismissal of the previous appeal and to explain how the revised proposals seek to respond to the Inspector's findings.

Relevant to Paragraph 4

The document identifies a number of physical amendments to the scheme, including revisions to the swale alignment, garden gradients, retaining walls and supporting engineering works. However, it also states that the majority of the supporting technical assessments have not significantly changed as a result of those amendments. This review therefore indicates that the revisions comprise targeted amendments to specific elements of the scheme rather than a fundamental redesign. This distinction is important when considering whether the Inspector's previous concerns have genuinely been overcome.

Document 75 – Committee Report

Document Purpose

The Committee Report provides the Local Planning Authority's assessment of the revised application and explains why officers recommend that planning permission be granted.

Relevant to Paragraph 4

The Committee Report assesses the proposal against the revised December 2024 NPPF whilst continuing to consider the full range of material planning considerations, including character and appearance, landscape and visual impact, residential amenity, highway safety, ecology, drainage and accessibility.

The report repeatedly refers back to the Inspector's previous findings when assessing the revised scheme, indicating that the Inspector's conclusions continue to provide the benchmark against which the amendments have been considered.

Research Question Evidence-based Answer

Which paragraphs of the December 2024 NPPF are directly relevant to this appeal?	The Planning Statement relies upon the revised December 2024 NPPF, with particular emphasis on the presumption in favour of sustainable development, housing delivery, well-designed places and sustainable transport. The most relevant national policies remain those relating to sustainable development, design quality, character, accessibility and the natural environment.
Have any policies relating to design quality, landscape character, accessibility or residential amenity materially changed?	No evidence has been identified that the December 2024 NPPF removes or materially weakens these policy requirements. The Planning Statement continues to assess the proposal against design, landscape, accessibility, residential amenity and environmental considerations, indicating that these remain important material planning considerations.
Does the revised NPPF place greater emphasis on housing delivery than the previous version?	Yes. The December 2024 NPPF places greater emphasis on housing delivery through the reintroduction of mandatory housing targets, changes to the standard method and the renewed requirement for local planning authorities to identify and update annually a five-year supply of deliverable housing sites. However, that increased emphasis does not displace the requirement to assess proposals against the development plan and the full range of material planning considerations, including design quality, landscape character and accessibility.

Does the revised Planning Statement accurately explain the policy changes?	The Planning Statement identifies the principal changes introduced by the December 2024 NPPF and relies upon them in support of the proposal. However, it also continues to assess the proposal against design quality, landscape, highways, ecology, drainage and residential amenity. No evidence has been identified that the applicant suggests these considerations are no longer relevant.
What is the current policy position regarding the "tilted balance" where a local authority cannot demonstrate a five-year housing land supply?	The revised NPPF confirms that the presumption in favour of sustainable development may apply where the most important development plan policies are out of date, including where a five-year housing land supply cannot be demonstrated. However, this remains a balancing exercise and does not create an automatic presumption in favour of development.
Which planning considerations continue to remain relevant despite a housing shortfall?	The Committee Report demonstrates that the proposal continues to be assessed against character and appearance, landscape and visual impact, residential amenity, highway safety, accessibility, ecology, drainage and other material planning considerations. These matters remain central to the planning balance despite the increased emphasis on housing delivery.
Does national policy require permission to be granted where identified harms remain unacceptable?	No. Neither the revised NPPF nor the Committee Report suggests that housing delivery automatically outweighs identified planning harm. The proposal continues to be assessed against all relevant material considerations before the overall planning balance is reached.
Has the applicant relied upon the housing shortfall to justify impacts that the Inspector previously found unacceptable?	The evidence indicates that the applicant relies upon both changes to national planning policy and amendments to the scheme. Document 87 identifies a number of physical amendments whilst also stating that the majority of the supporting technical assessments have not significantly changed. The Planning Statement relies upon the revised policy context as an additional factor weighing in favour of approval, whilst the Committee Report continues to assess whether the Inspector's previous concerns have been addressed.
What is Ribble Valley's current five-year housing land supply position?	The evidence reviewed confirms that the Council has reassessed its housing land supply following publication of the December 2024 NPPF. The Planning Statement relies upon this revised position as part of the planning balance. The precise extent of the Council's current housing land supply should be confirmed from the latest published Housing Land Supply Statement and supporting evidence.

Has the applicant sought to overcome the Inspector's previous concerns primarily through physical design changes, or by relying upon changes in national planning policy and the planning balance?	The evidence indicates that the applicant relies upon a combination of both approaches. Document 87 identifies a number of targeted physical amendments to the scheme, whilst the Planning Statement places increased emphasis on the revised NPPF and housing delivery. The Committee Report assesses both the physical amendments and the revised policy context when determining whether the Inspector's previous concerns have been overcome.

Principal Question

To what extent has the December 2024 NPPF, and Ribble Valley's current housing land supply position, altered the planning balance, and does this outweigh the Inspector's previous findings relating to character, appearance and landscape harm?

Evidence-based answer

The evidence reviewed to date confirms that the December 2024 National Planning Policy Framework places increased emphasis on housing delivery and the need for local planning authorities to maintain a five-year housing land supply. The applicant's Planning Statement relies upon these changes as part of the justification for granting planning permission. However, neither the revised NPPF nor the Planning Statement suggests that these changes remove the requirement to assess the proposal against all other material planning considerations.

The Committee Report continues to assess the proposal against the full range of planning matters, including character and appearance, landscape and visual impact, residential amenity, highway safety, accessibility, ecology and drainage. Likewise, the applicant's Explanation of Key Changes indicates that relatively limited amendments have been made to the scheme, whilst also stating that the majority of the supporting technical assessments have not significantly changed.

At this stage of the review, the available evidence suggests that the revised NPPF has altered the planning balance by increasing the weight to be afforded to housing delivery. However, it has not displaced the need for the applicant to demonstrate that the Inspector's previous concerns regarding character, appearance and landscape harm have been satisfactorily addressed. Whether the physical amendments identified elsewhere in the revised application are sufficient to overcome the Inspector's previous findings will be established through the remaining sections of this review.

Evidence-based Conclusion

The Inspector's decision confirms that the appeal was determined against the December 2024 National Planning Policy Framework and that all parties were afforded the opportunity to comment on the revised national policy. The Inspector was therefore satisfied that no party would be prejudiced by the updated planning policy context.

The evidence reviewed for Paragraph 4 demonstrates that the revised National Planning Policy Framework places increased emphasis on housing delivery and the maintenance of a five-year housing land supply. The applicant's Planning Statement relies upon these policy changes as part of the justification for granting planning permission. However, neither the revised NPPF nor the Committee Report suggests that the increased weight afforded to housing delivery removes the requirement to assess the proposal against all other material planning considerations, including character and appearance, landscape and visual impact, residential amenity, highway safety, accessibility, ecology and drainage.

The evidence further demonstrates that the applicant relies upon a combination of changes to national planning policy and targeted amendments to the scheme. Whilst Document 87 identifies a number of physical revisions intended to address the Inspector's previous concerns, it also confirms that the majority of the supporting technical assessments have not significantly changed. The Committee Report similarly continues to assess the revised proposal against the Inspector's previous findings rather than treating the updated policy context as justification for setting those findings aside.

Accordingly, the evidence reviewed indicates that the December 2024 NPPF has altered the planning balance by increasing the weight to be afforded to housing delivery. However, the applicant must still demonstrate, through the revised design and supporting evidence, that the Inspector's previous concerns regarding character, appearance and landscape harm have been satisfactorily addressed. Whether those concerns have genuinely been overcome will be established through the detailed review of the remaining issues considered within this assessment.

Outcome - Partially established

The evidence reviewed confirms that the revised NPPF has increased the weight to be afforded to housing delivery. However, it does not demonstrate that national policy changes alone overcome the Inspector's previous findings regarding character, appearance and landscape harm. Whether the physical amendments to the scheme are sufficient to overcome those findings requires consideration of the remaining sections of this review.

Paragraph 6

Inspector's Point

6. Almost all the appeal site is allocated for housing in the Local Plan for Ribble Valley 2008-2028, Housing and Economic Development Plan Document, adopted 15 October 2019 (DPD). However, the red edge site boundary also encompasses unallocated land within the settlement boundary in the southern part of the site and part of land within the Green Belt in the south-eastern part of the site. These areas comprise very steeply sloping wooded land within which no development is proposed. The effect of the proposal on the Green Belt is not a reason for refusal in the decision notice. From the information available to me, I agree with both main parties that the proposal would not be inappropriate development in the Green Belt under the terms of the Framework. It would not be harmful to the openness of the Green Belt or to the purposes of including land within it. As such, I make no further reference to the site's partial location in the Green Belt in this decision.

Summary

The Inspector confirms that the majority of the appeal site is allocated for residential development within the adopted Ribble Valley Housing and Economic Development Plan Document (HED DPD). Although the application boundary includes a small area of Green Belt and unallocated land, no built development is proposed within those areas. The Inspector concludes that the proposal does not constitute inappropriate development within the Green Belt and that Green Belt considerations do not form part of the reasons for refusal.

Initial Thoughts

- Site allocation establishes the principle of residential development, but does it also support the scale, layout and form of development now proposed?
- Was the site allocated on the basis of the current extent and form of development?
- Were the site's topography, access constraints and significant engineering requirements fully understood during the allocation process?
- Were retaining walls, cut and fill operations and extensive earthworks anticipated when the site was allocated?
- Does the undeveloped Green Belt continue to contribute to the site's wider landscape setting, even though no built development is proposed within it?
- What level of public consultation was undertaken during preparation of the HED DPD, and were local concerns regarding access, landscape and topography fully considered?

General Observation

The Inspector confirms that the principle of residential development has already been established through the site's allocation within the adopted HED DPD. The Inspector also concludes that the limited area of Green Belt contained within the application boundary does not constitute inappropriate development and does not influence the determination of the appeal.

The key issue for this review is therefore not whether the site should be developed in principle, but whether the revised proposal remains consistent with the assumptions, evidence and constraints that informed the site's allocation. In particular, it will be important to establish whether the allocation process fully considered the site's challenging topography, access arrangements, landscape sensitivity and engineering requirements, and whether the revised scheme extends beyond what was originally envisaged when the site was identified for housing.

Review of Submitted Evidence

Document 119 – Planning Statement

Document Purpose

The Planning Statement has been prepared in support of the revised planning application and explains why the applicant considers planning permission should be granted. It reviews the planning policy context, the principle of development, the planning history and the changes made following dismissal of the previous appeal.

Relevant to Paragraph 6

The Planning Statement confirms that the site is allocated for residential development within the adopted Housing and Economic Development Plan Document (HED DPD) and relies upon that allocation to establish the principle of development. It also explains that the revised proposal has been prepared having regard to the Inspector's previous findings and the updated national planning policy context.

The document should be reviewed to establish whether it relies solely upon the principle of allocation, or whether it also demonstrates that the revised layout, engineering works and overall form of development remain consistent with the evidence and assumptions that informed the site's allocation.

Document 75 – Committee Report

Document Purpose

The Committee Report provides the Local Planning Authority's assessment of the revised application and explains the reasons for the officer recommendation.

Relevant to Paragraph 6

The Committee Report confirms that the site is allocated for residential development and accepts the principle of housing on the site. However, it continues to assess the proposal against all other material planning considerations, including landscape impact, design quality, highway safety, ecology, drainage, residential amenity and accessibility.

This demonstrates that site allocation establishes the principle of development but does not remove the requirement to assess whether the detailed design and layout of the proposal are acceptable.

Document 13/14 – Amended Design and Access Statement

Document Purpose

The Design and Access Statement explains the evolution of the design, the opportunities and constraints affecting the site, and how the applicant considers the proposed development responds to those constraints.

Relevant to Paragraph 6

The Design and Access Statement should be reviewed to identify how the applicant has responded to the site's physical constraints, including topography, existing vegetation, access arrangements, landscape setting and infrastructure. Particular consideration should be given to whether these constraints were anticipated during the allocation process and whether they have influenced the final form of development.

Document 87 – Explanation of Key Changes

Document Purpose

This document summarises the amendments made to the proposal following the previous appeal and explains how the applicant considers those changes respond to the Inspector's findings.

Relevant to Paragraph 6

The document identifies a number of targeted amendments to the scheme but indicates that the majority of the supporting technical assessments have not significantly changed. This is relevant when considering whether the revised proposal remains broadly consistent with the site allocation or whether more fundamental changes to the development strategy have occurred.

Document 246 – Appeal Decision

Document Purpose

The Appeal Decision establishes the baseline against which the revised application should be assessed.

Relevant to Paragraph 6

The Inspector accepts the principle of residential development on the allocated site and concludes that the limited area of Green Belt within the application boundary is not a reason for refusal. The focus of the decision therefore moves away from the principle of development and towards the detailed effects of the proposal on the character and appearance of the area.

The submitted evidence consistently demonstrates that the principle of residential development on the site is not disputed. The principal issue is whether the detailed layout, engineering works and landscape response of the revised proposal remain consistent with the planning assumptions that supported the site's allocation and whether they satisfactorily address the Inspector's previous concerns.

Scope of Document Review

The following documents have been reviewed to establish the extent to which the revised proposal remains consistent with the site's allocation within the adopted Housing and Economic Development Plan Document (HED DPD), and whether the principle of development established through the allocation extends to the detailed layout and form of development now proposed.

Documents reviewed:

- 119 – Planning Statement
- 75 – Committee Report
- 13/14 – Amended Design and Access Statement
- 87 – Explanation of Key Changes
- 246 – Appeal Decision

This review considers whether the applicant has demonstrated that the revised proposal responds appropriately to the site's identified constraints, including topography, landscape setting, access arrangements and engineering requirements, and whether these matters were anticipated when the site was allocated for residential development.

External Research

Ribble Valley Housing and Economic Development Plan Document (HED DPD) (Adopted October 2019)

Review the allocation policy and supporting text relating to the appeal site to establish:

- the purpose of the site allocation;
- whether any site-specific constraints or requirements were identified;
- whether landscape, topography, access or infrastructure constraints were recognised; and
- whether any indicative development principles accompanied the allocation.

HED DPD Examination and Evidence Base (if required)

If the allocation itself becomes a significant issue later in the review, consider examining the supporting evidence prepared during the Local Plan process, including:

- Site Assessment documentation;
- Sustainability Appraisal;
- consultation responses;
- Inspector's Examination Report.

This should only be undertaken if the submitted planning documents rely heavily upon the site allocation to justify the revised proposal.

Assessment against Research Questions

Research Question

Evidence-based Answer

What evidence supported allocation of the site within the HED DPD?

The Planning Statement and Committee Report both confirm that the site is allocated for residential development within the adopted HED DPD. The supporting allocation evidence has not yet been reviewed and should be considered if the allocation itself becomes material to the remaining assessment.

Were access, topography and landscape constraints considered during allocation?

The submitted application documents acknowledge these constraints. However, further review of the HED DPD evidence base is required to establish the extent to which they informed the original allocation.

Was an indicative layout prepared as part of the allocation process?

No evidence has yet been identified within the reviewed documents confirming whether an indicative layout accompanied the allocation. This should be confirmed through review of the HED DPD allocation documents if required.

Has the current proposal evolved beyond the assumptions made when the site was allocated?

This has not yet been established. The revised proposal will need to be compared with the allocation evidence and the Inspector's previous findings as the review progresses.

Does allocation establish only the principle of residential development, or does it also support the specific layout and form of development now proposed?

The evidence reviewed indicates that allocation establishes the principle of residential development. Both the Committee Report and the Appeal Decision continue to assess the detailed layout, design, landscape impact, highways and other material planning considerations separately, indicating that allocation does not in itself establish the acceptability of the detailed scheme.

Assessment against Research Questions

Research Question	Evidence-based Answer
What consultation was undertaken during preparation of the HED DPD?	This has not yet been reviewed. Should the allocation process become a material issue, the consultation documents and Examination evidence should be reviewed.
Were local concerns regarding highways, topography or landscape raised during the allocation process?	No evidence has yet been identified within the submitted planning documents. This may require review of the Local Plan consultation responses if considered necessary.
Has the extent of the Green Belt within the application boundary changed?	No evidence has been identified that the Green Belt boundary has changed. The Inspector confirms that no built development is proposed within the Green Belt and concludes that it is not a reason for refusal.
Does the undeveloped Green Belt continue to contribute to the site's landscape setting?	The Inspector acknowledges that the wooded Green Belt land forms part of the site's wider setting. Although it is not a reason for refusal, its contribution to the landscape context remains relevant when considering the character and appearance of the area.
Has the revised proposal altered the relationship between the developable area and the Green Belt?	No evidence has yet been identified that the revised proposal materially changes the relationship between the development area and the Green Belt. This should be revisited if subsequent landscape evidence indicates otherwise.

Principal Question

Does the allocation of the site within the Housing and Economic Development Plan Document (HED DPD) establish only the principle of residential development, or has the applicant demonstrated that the revised layout and form of development remain consistent with the assumptions and evidence that supported the site's allocation?

Evidence-based Answer

The evidence reviewed confirms that the appeal site is allocated for residential development within the adopted Housing and Economic Development Plan Document (HED DPD), thereby establishing the principle of housing development on the site. Both the Planning Statement and Committee Report rely upon this allocation in support of the application.

However, neither the allocation itself nor the Inspector's decision suggests that allocation automatically endorses the detailed layout, engineering works or form of development now proposed. The Committee Report continues to assess the proposal against the full range of material planning considerations, including character and appearance, landscape and visual impact, highway safety, accessibility, ecology, drainage and residential amenity.

The evidence therefore indicates that whilst the principle of residential development is established through the Local Plan allocation, the acceptability of the detailed scheme remains dependent upon whether the revised proposal satisfactorily addresses the site's physical constraints and the Inspector's previous findings.

Evidence-based Conclusion

The Inspector accepts that the majority of the site is allocated for residential development and concludes that the limited area of Green Belt within the application boundary is not a matter that weighs against the proposal. The principle of housing development on the site is therefore not in dispute.

The evidence reviewed demonstrates that the applicant continues to rely upon the site's allocation to establish the principle of development. However, both the submitted planning documents and the Committee Report continue to assess the detailed design of the scheme against all other relevant planning considerations. This confirms that site allocation does not remove the need to demonstrate that the proposed layout, engineering works, landscape response and overall form of development are appropriate for the site.

Accordingly, the evidence reviewed indicates that the allocation establishes the principle of residential development, but it does not in itself demonstrate that the revised proposal overcomes the Inspector's previous concerns. Those matters are considered in the remaining sections of this review.

Outcome - Established

Paragraph 7

Inspector's Point

7. The main issue is the effect of the proposed development on the character and appearance of the area.

Summary

The Inspector identifies the principal issue upon which the appeal is determined: the effect of the proposed development on the character and appearance of the area. All subsequent findings should therefore be read in the context of this overarching issue. The key question for this review is whether the revised application has objectively demonstrated that the changes made to the proposal overcome the Inspector's previous concerns regarding character and appearance.

Initial Thoughts

- This is the central issue of the appeal and the primary focus of this review.
- Every subsequent finding should be considered in the context of its contribution to the character and appearance of the area.
- Has the applicant demonstrated that the revised proposals overcome the Inspector's previous concerns?
- Are the proposed changes supported by objective evidence, or are improvements simply asserted within the application documents?
- Has each amendment resulted in a genuine improvement to the character and appearance of the area?
- Are the conclusions reached within the revised technical documents supported by the drawings, landscape proposals and visual evidence?
- Does the cumulative effect of the revisions overcome the Inspector's previous findings, or do the same fundamental concerns remain?

General Observation

The Inspector identifies a single principal issue: the effect of the proposed development on the character and appearance of the area. This establishes the framework for the remainder of the decision. Individual matters such as layout, landscape, topography, engineering works, highways, accessibility and public rights of way are not assessed in isolation; rather, they are considered insofar as they influence the overall character and appearance of the development.

Accordingly, every subsequent paragraph within this review should ultimately answer the same question: Has the applicant objectively demonstrated, through the revised design, supporting technical evidence and landscape assessment, that the proposal now preserves the character and appearance of the area and overcomes the Inspector's previous findings?

Review of Submitted Evidence

Document 119 – Planning Statement

Relevant to Paragraph 7

The Planning Statement establishes the applicant's overall case that the revised proposals should now be considered acceptable. It explains the planning history, identifies changes made following the appeal and argues that the revised scheme responds to the Inspector's previous findings. The document should therefore be reviewed to establish whether the claimed improvements are supported by objective evidence or whether they rely primarily upon changes in planning policy and planning judgement.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 7

This document identifies the physical amendments made following dismissal of the appeal. It is central to Paragraph 7 because it explains which changes the applicant considers address the Inspector's concerns regarding character and appearance. The review should establish whether those amendments represent fundamental design changes or targeted revisions to specific elements of the scheme, and whether they are sufficient to overcome the Inspector's previous findings.

Document 75 – Committee Report

Relevant to Paragraph 7

The Committee Report provides the Local Planning Authority's assessment of whether the revised proposals overcome the Inspector's previous concerns. It is therefore one of the principal documents against which the applicant's claims should be tested, particularly in relation to character, appearance, landscape impact and the overall planning balance.

Document 13 / 14 – Design and Access Statement

Relevant to Paragraph 7

The Design and Access Statement explains the design evolution of the proposal and the applicant's response to the site's opportunities and constraints. The review should establish whether the design rationale is reflected in the revised drawings and whether it demonstrates a genuine improvement to the character and appearance of the area.

Document 26–28 – Landscape and Visual Impact Assessment

Relevant to Paragraph 7

The Landscape and Visual Impact Assessment provides the principal technical evidence relating to the Inspector's main issue. It should be reviewed to determine whether the revised landscape proposals, mitigation measures and visual assessments objectively demonstrate that the character and appearance of the area would no longer be harmed by the proposed development.

Scope of Document Review

The following documents have been reviewed to establish whether the applicant has objectively demonstrated that the revised proposals overcome the Inspector's previous concerns regarding the character and appearance of the area.

The review considers whether the amendments made to the scheme are supported by objective planning, design and landscape evidence, and whether the revised proposal demonstrably responds to the Inspector's previous findings.

Documents reviewed

Primary Documents

- 119 – Planning Statement
- 75 – Committee Report
- 87 – Explanation of Key Changes
- 13 / 14 – Amended Design and Access Statement
- 26–28 – Amended Landscape and Visual Impact Assessment

Secondary Documents

- 24 – Amended Landscape Masterplan
- 246 – Appeal Decision

Assessment against Research Questions

Research Question

What specific aspects of character and appearance did the Inspector identify as harmful?

What changes has the applicant made in response?

Evidence-based Answer

The Appeal Decision identifies the effect of the proposed development on the character and appearance of the area as the principal issue. The Inspector's detailed findings relate to landscape impact, topography, engineering works, retaining structures, layout and the visual relationship between the development and its surroundings. These matters are considered in the subsequent paragraphs of the decision.

The applicant has submitted a revised scheme supported by amended drawings, an updated Design and Access Statement, Landscape and Visual Impact Assessment, Landscape Masterplan and an Explanation of Key Changes. Document 87 identifies the principal physical amendments made following dismissal of the appeal, whilst the Planning Statement explains how the applicant considers these changes respond to the Inspector's findings.

Research Question

Evidence-based Answer

Is there objective evidence that those changes overcome the Inspector's concerns?

The applicant has submitted a range of revised technical documents in support of the application. However, the extent to which those documents objectively demonstrate that the Inspector's previous concerns have been overcome remains the principal issue to be examined throughout this review. No single document, in isolation, establishes that conclusion.

Are there any concerns identified by the Inspector that have not been addressed?

This has not yet been fully established. The revised application identifies a number of amendments to the scheme; however, each of the Inspector's previous concerns must be considered individually to determine whether they have been fully addressed or continue to remain relevant.

Do the revised technical documents consistently demonstrate an improvement in character and appearance?

The Planning Statement, Design and Access Statement, Landscape and Visual Impact Assessment and Committee Report all conclude that the revised proposals represent an improvement. The purpose of this review is to test those conclusions against the submitted drawings, technical evidence and the Inspector's previous findings.

Are the conclusions reached within the revised application supported by objective evidence rather than assertion?

This remains the central question throughout the review. The submitted documents make a number of claims regarding improvements to the scheme. Each of those claims will be examined against the revised drawings, technical assessments and the Inspector's previous findings to determine whether they are supported by objective evidence.

Does the cumulative effect of the revisions overcome the Inspector's previous findings relating to character and appearance?

This cannot be answered through a single document. It will be established through the cumulative findings of this review, drawing together the evidence considered under each of the Inspector's subsequent findings relating to landscape, layout, topography, engineering works, visual impact and the wider character of the area.

Has the applicant demonstrated that the revised proposal preserves the character and appearance of the area when considered as a whole?

This remains the overarching question of the review. The evidence contained within the submitted planning documents will be assessed collectively against each of the Inspector's previous findings before an overall conclusion is reached regarding whether the revised proposal preserves the character and appearance of the area.

Principal Question

Has the applicant demonstrated, through objective planning, design, landscape and technical evidence, that the revised proposals overcome the Inspector's previous concerns regarding the character and appearance of the area?

Evidence-based Answer

The evidence reviewed confirms that the applicant has submitted a comprehensive suite of revised planning, design, landscape and technical documents in support of the application. Collectively, these documents seek to demonstrate that the revised proposals respond to the Inspector's previous findings through a combination of physical amendments to the scheme and updated planning evidence.

However, the submitted documents do not, in themselves, establish that the Inspector's previous concerns have been overcome. Rather, they present the applicant's case that the revised proposals are now acceptable. Whether that conclusion is supported by objective evidence can only be determined by examining each of the Inspector's subsequent findings relating to character and appearance, and assessing whether the revised proposals demonstrably address those concerns.

Accordingly, Paragraph 7 establishes the principal question against which the remainder of this review is undertaken. The following sections consider each of the Inspector's findings individually before reaching an overall conclusion as to whether the revised proposal has overcome the Inspector's previous concerns regarding the character and appearance of the area.

Evidence-based Conclusion

The Inspector identifies the effect of the proposed development on the character and appearance of the area as the principal issue against which the appeal is to be determined. The submitted planning application responds by presenting a comprehensive suite of revised planning, design, landscape and technical documents, each of which seeks to respond by presenting a comprehensive suite of documents to demonstrate that the revised proposals overcome the Inspector's previous concerns.

The evidence reviewed confirms that the applicant has made a number of physical amendments to the scheme and submitted a comprehensive suite of revised planning, design, landscape and technical documents in support of those changes. However, the evidence reviewed does not, in itself, demonstrate that the Inspector's previous concerns regarding the character and appearance of the area have been overcome. Rather, those documents set out the applicant's case, the conclusions of which require testing against the detailed evidence considered throughout this review. Collectively, the findings of the subsequent sections establish whether the revised proposal objectively demonstrates that a different planning conclusion from that previously reached by the Planning Inspector is justified.

Outcome - Not Established

Paragraph 7 establishes the principal issue against which the revised application is assessed. Whether the applicant has successfully overcome the Inspector's previous concerns regarding the character and appearance of the area will be determined through the cumulative findings of the subsequent sections of this review.

Paragraph 8

Inspector's Point

8. The appeal site comprises parcels of steeply sloping open fields and grazing land on the edge of the settlement Wilpshire. The southern part of the site has particularly steep and heavily wooded gradients and includes Knotts Brook, part of which forms the administrative boundary with Blackburn with Darwen Borough Council, beyond which is residential development. To the north and west is residential development. The eastern boundary predominantly comprises of a low drystone wall and timber post and wire fence, beyond which the land continues to rise and comprises open agricultural fields within the Green Belt.

Summary

The Inspector describes the site's existing context, emphasising its steep topography, wooded southern boundary, surrounding residential development, relationship with the Green Belt and the site's rural edge-of-settlement character.

Initial Thoughts

- The Inspector places considerable emphasis on the site's steeply sloping topography and varied landform.
- The site is described as occupying a sensitive edge-of-settlement location, forming a transition between the built-up area of Wilpshire and the surrounding countryside.
- The southern part of the site is identified as particularly steep and heavily wooded, suggesting these are defining landscape characteristics rather than minor constraints.
- Has the revised proposal demonstrated a more sympathetic response to the site's topography and existing landscape features?
- Have the proposed engineering works, including retaining walls, cut and fill operations and level changes, been materially reduced?
- Has the revised proposal better respected the site's edge-of-settlement character and relationship with the surrounding countryside?

- Has the relationship between the proposed development, the Green Belt and Knotts Brook changed?
- Does the revised Landscape Masterplan demonstrate a greater respect for the site's existing landscape character and natural features?
- Has the revised proposal demonstrated a more appropriate design response to the site's inherent physical constraints?

General Observation

The Inspector begins his assessment by describing the site's defining physical characteristics rather than criticising the proposal itself. The site's steep topography, wooded southern boundary, relationship with the Green Belt and edge-of-settlement location remain unchanged. The question for this review is therefore not whether the site has changed, but whether the revised proposal responds more successfully to those enduring site constraints than the scheme previously dismissed at appeal.

Review of Submitted Evidence

Document 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 8

The amended Proposed Site Layouts should be reviewed alongside the previous appeal layouts (Documents 241 and 242) to establish whether the revised proposals demonstrate a materially improved response to the site's steep topography, edge-of-settlement location and surrounding landscape. Particular consideration should be given to changes in the disposition of development, road alignment, relationship with the site's boundaries and the extent of engineering works.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 8

The amended Site Sections should be compared with the previous illustrative sections (Document 195 and any equivalent appeal drawings) to determine whether the revised proposals reduce reliance upon cut and fill, retaining walls and engineered platforms, and whether the development now sits more comfortably within the existing landform.

Documents 61/62 – Amended Retaining Wall Sections and 65/66 – Schematic Finished Levels

Relevant to Paragraph 8

The amended Retaining Wall Sections and Schematic Finished Levels should be reviewed alongside the previous External Works drawings, coloured sections and appeal layouts to establish whether the revised proposals have materially reduced the extent of retaining structures, cut and fill operations and engineered level changes. Particular consideration should be given to whether the revised development responds more sympathetically to the site's natural topography than the appeal scheme.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 8

The amended Landscape Masterplan should be reviewed alongside the previous Landscape Masterplans (Documents 182 and 230) to establish whether the revised proposals provide a materially improved landscape response. Particular consideration should be given to the treatment of the eastern boundary, woodland, Green Belt edge and the overall landscape framework.

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 8

The amended Landscape and Visual Impact Assessment provides the applicant's principal technical evidence regarding the site's landscape context. It should be reviewed alongside the previous Landscape and Visual Impact Assessment (Document 289) to establish whether the revised proposals objectively demonstrate a more sympathetic response to the site's topography, landscape character and visual setting than the scheme previously dismissed at appeal.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 8

The Design and Access Statement explains how the revised proposals have evolved in response to the site's opportunities and constraints. It should be reviewed to determine whether the stated design rationale is reflected in the revised drawings and whether it demonstrates a more appropriate response to the site's inherent physical characteristics.

Assessment against Research Questions

Research Question	Evidence-based Finding
Have the site's physical characteristics changed?	No. Comparison of the appeal decision, previous drawings and revised application confirms that the site's defining characteristics remain unchanged. It continues to comprise steeply sloping agricultural land with heavily wooded gradients to the south, Knotts Brook, adjoining Green Belt land and an edge-of-settlement location. These inherent constraints have not altered and therefore remain the baseline against which the revised proposals must be assessed.

Research Question

Evidence-based Finding

Have the proposed engineering works (retaining walls, cut and fill, level changes) been materially reduced?

Comparison of the previous and revised Site Layouts, Retaining Wall Sections, Finished Levels and External Works drawings confirms that amendments have been made to the engineering strategy. However, the revised proposals continue to rely upon substantial retaining walls, cut-and-fill operations and engineered development platforms to accommodate development across the site. No objective evidence has been identified demonstrating that the overall reliance upon engineering has been materially reduced to an extent that overcomes the Inspector's concerns arising from the site's steep topography.

Does the revised proposal better respond to the steep topography?

The revised layout, sections, levels and landscape proposals demonstrate that the applicant has sought to improve the design response to the site's topography. However, comparison with the appeal scheme indicates that the steep topography continues to dictate the form and layout of the development. The evidence reviewed does not yet demonstrate that the Inspector's concerns regarding the site's physical constraints have been overcome.

Has the relationship with the Green Belt changed?

The Green Belt boundary remains unchanged and no built development is proposed within it. Comparison of the previous and revised Landscape Masterplans demonstrates amendments to planting and boundary treatment intended to improve the transition to the adjoining countryside. Whether these revisions materially improve the site's relationship with the Green Belt will ultimately depend upon whether the proposed landscaping is considered sufficient to mitigate the development's wider landscape effects.

Has the treatment of the eastern boundary changed?

Comparison of the previous and revised Landscape Masterplans indicates revisions to the treatment of the eastern boundary and the interface with the surrounding countryside. Whilst the landscape strategy has been strengthened, no objective evidence has yet been identified demonstrating that these revisions fundamentally alter the site's relationship with the rural landscape.

Does the revised Landscape Masterplan better reflect the site's existing landscape character?

The revised Landscape Masterplan proposes additional planting, woodland management and amendments to the landscape framework. Comparison with the previous strategy demonstrates refinement rather than wholesale redesign. The applicant has sought to improve the landscape response, but the evidence reviewed does not yet demonstrate that the Inspector's previous concerns regarding landscape character have been fully overcome.

Principal Question

Has the applicant demonstrated that the revised proposals respond more successfully to the site's existing topography, landscape character and edge-of-settlement location?

Evidence-based Answer

The applicant has introduced a number of amendments to the layout, finished levels, retaining walls, landscape proposals and external works in response to the previous appeal. However, the applicant's own Key Changes document states that **"the majority of documents have been updated with minor changes"** and that **"the outcomes of their assessments have not significantly or demonstrably changed due to the minor changes to the site."**

The reviewed drawings confirm that the development continues to rely upon substantial land regrading, engineered development platforms, retaining walls and coordinated finished levels across the site. Whilst refinements have been made, the evidence does not objectively demonstrate that the site's inherent physical constraints have been fundamentally overcome or that the development responds materially more successfully to the site's steep topography, landscape character and edge-of-settlement location than the scheme previously dismissed at appeal.

Evidence-based Conclusion

The revised application clearly contains amendments intended to respond to the Inspector's previous concerns. However, the applicant's own evidence describes these as minor changes, and states that the majority of the supporting technical assessments have not significantly or demonstrably changed as a consequence.

The documentary evidence reviewed demonstrates that the proposal continues to depend upon significant engineering works, including altered land levels, retaining structures and extensive ground modelling in order to accommodate development across the site. Although aspects of the layout and landscape strategy have been refined, the evidence does not objectively demonstrate that these revisions fundamentally alter the relationship between the development and the site's defining physical characteristics.

Accordingly, the evidence reviewed does not demonstrate that the revised proposal responds materially more successfully to the site's topography, landscape character and edge-of-settlement location than the appeal scheme previously dismissed by the Inspector.

Outcome: ✗ Not overcome on the submitted evidence.

Paragraph 9

Inspector's Point

9. The site falls significantly in level from the highest point in the north-east corner down towards the rear of properties along Salesbury View to the west and to the wooded Knotts Brook to the south. Two distinct interspersed rows of trees separate parcels of land within the site. In addition, high voltage power lines traverse the southern part of the site in an east west direction with two pylons located on the site. A Public Right of Way1 (PRoW 25) runs through the wooded section of Green Belt land to the south and proceeds close to the eastern boundary of the site. The site would be accessed off Salesbury View, a relatively steep road that provides access to four properties along Salesbury View and to the rear of several properties along Whalley Road.

Summary

The Inspector identifies the site's principal physical constraints, including the significant changes in level, existing trees, overhead power lines and pylons, Public Right of Way and the site's sole vehicular access via the steep Salesbury View.

Initial Thoughts

- The Inspector identifies a combination of constraints rather than a single issue. The revised proposals must therefore demonstrate that the cumulative effect of these constraints has been satisfactorily addressed rather than considering each in isolation.
- Salesbury View is confirmed as the only vehicular access.
- Having visited the site, the access appears to be a much greater issue than first appreciated.
- A separate commission has been made for Highways Report.
- Explore whether the revised proposals genuinely address the site's access constraints.
- Consider the relationship between the ProW, pylons, topography and the proposed development.

General Observation

Rather than identifying isolated constraints, the Inspector describes a site where multiple physical characteristics combine to influence its capacity for development. The steep topography, existing tree belts, Public Right of Way, overhead power infrastructure and sole vehicular access collectively define the site's character and development potential. The question for this review is therefore not whether individual elements have been amended, but whether the revised proposals demonstrate that these combined constraints can now be accommodated without giving rise to the concerns identified in the appeal decision.

Review of Submitted Evidence

Documents 67/68 – Amended Transport Assessment

Relevant to Paragraph 9

The amended Transport Assessment provides the applicant's principal technical evidence relating to the suitability of the site's sole vehicular access via Salesbury View. It should be reviewed to establish whether the revised proposals objectively demonstrate that the site's significant physical constraints, including steep gradients, highway operation, pedestrian accessibility and access arrangements, have been satisfactorily addressed. Particular consideration should be given to whether the assessment demonstrates a materially different position from that considered by the Inspector at appeal, or whether it continues to rely upon the same fundamental access strategy.

Documents 69/70 – Amended Travel Plan

Relevant to Paragraph 9

The amended Travel Plan explains how future residents are expected to access local facilities using sustainable modes of transport. It should be reviewed to determine whether the assumptions made regarding walking, cycling and public transport are realistic having regard to the site's steep topography, the sole access via Salesbury View and the characteristics of the intended future residents. Particular consideration should be given to whether accessibility has been assessed for all users, including older people, families, wheelchair users and those without access to a private car.

Documents 91/92 – Highway Consultation Responses

Relevant to Paragraph 9

The Highway Consultation Responses record the Local Highway Authority's assessment of the revised proposals. They should be reviewed to establish whether the Highway Authority has reconsidered any of the site's physical constraints following the appeal, whether additional mitigation has been requested, and whether any remaining concerns regarding access, gradients, pedestrian movement or highway safety have been resolved.

Document 75 – Committee Report

Relevant to Paragraph 9

The Committee Report provides the Local Planning Authority's assessment of the revised highway and accessibility evidence and summarises the responses of statutory consultees and third parties. It should be reviewed to establish whether the authority considers that the Inspector's previous concerns relating to the site's physical constraints have been overcome, and whether that conclusion is supported by the technical evidence submitted with the application.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 9

The amended Proposed Site Layouts illustrate the relationship between the proposed development, Salesbury View, Public Right of Way FP25 and the surrounding landform. They should be reviewed to determine whether the revised layout demonstrates a more sympathetic response to the site's physical constraints and whether the proposed access arrangements materially differ from those considered at appeal.

Documents 56–58, 61/62 & 65/66 – Site Sections, Retaining Wall Sections and Finished Levels

Relevant to Paragraph 9

These drawings provide the principal evidence of how the proposed development responds to the site's steep topography. They should be reviewed to establish whether the revised proposals reduce reliance upon cut and fill, retaining walls and engineered platforms, and whether the access arrangements and internal road network have been designed to work more successfully with the existing landform.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 9

The Design and Access Statement explains the applicant's design approach to the site's opportunities and constraints. It should be reviewed to determine whether the stated design rationale regarding accessibility, movement and integration with the surrounding landscape is reflected within the revised drawings and technical evidence.

Scope of Document Review

The following documents have been reviewed to establish whether the applicant has objectively demonstrated that the revised proposals overcome the Inspector's previous concerns regarding the site's fundamental physical constraints, including its steep topography, sole vehicular access via Salesbury View, Public Right of Way FP25 and relationship with the surrounding landscape.

The review considers whether the amended highway, accessibility and design evidence demonstrates a materially improved response to these constraints, or whether the revised proposals continue to rely upon substantially the same access strategy and engineering approach considered by the Inspector during the previous appeal.

Documents Reviewed

Primary Documents

- 67/68 – Amended Transport Assessment
- 69/70 – Amended Travel Plan
- 91/92 – Highway Consultation Responses
- 75 – Committee Report
- 50/55 – Amended Proposed Site Layout
- 56–58 – Amended Proposed Site Sections
- 61/62 – Amended Retaining Wall Sections
- 65/66 – Schematic Finished Levels

Secondary Documents

- 13/14 – Amended Design and Access Statement
- 24 – Amended Landscape Masterplan
- 26–28 – Amended Landscape and Visual Impact Assessment
- 246 – Appeal Decision

Assessment against Research Questions

Research Question	Evidence-based Finding
Have the significant level changes across the site been better addressed?	The revised application includes amendments to the site layout, finished levels, retaining walls and external works intended to respond more sympathetically to the site's topography. However, comparison of the revised drawings demonstrates that the site continues to rely upon substantial engineered level changes to

Research Question	Evidence-based Finding
Have the retaining walls, cut and fill operations and engineering works been reduced?	facilitate development. The site's significant changes in level remain an inherent physical constraint and no objective evidence has been identified demonstrating that they have been materially overcome. The revised drawings demonstrate amendments to retaining wall locations, finished levels and external works. However, extensive retaining structures, cut-and-fill operations and engineered development platforms remain fundamental components of the proposal. The evidence demonstrates refinement of the engineering strategy rather than its removal, and no objective evidence has been identified demonstrating that reliance upon engineering has been materially reduced.
Does the revised layout work more sympathetically with the existing landform?	The revised layout seeks to respond more positively to the site's natural topography through amendments to road alignment, housing arrangement and levels. Whilst these revisions demonstrate design evolution, the submitted evidence confirms that the development continues to be dictated by the site's steeply sloping landform and extensive engineering works remain necessary. Whether this represents a sufficient improvement over the appeal scheme requires consideration alongside the Inspector's subsequent findings relating to landscape and character.
Has the Highway Authority reconsidered the suitability of Salesbury View?	The Highway Authority has reviewed the amended proposals and requested further mitigation, including off-site highway improvements and a signalised pedestrian crossing. However, the revised application continues to rely upon Salesbury View as the sole vehicular access to the development. No alternative access strategy has been proposed.
Has the applicant demonstrated that Salesbury View can safely accommodate an 80-dwelling development?	The amended Transport Assessment concludes that the proposed access arrangements are acceptable and that the surrounding highway network can accommodate the development. However, the assessment principally considers vehicle movements and highway operation. It does not, within the evidence reviewed, objectively demonstrate that the site's broader physical constraints identified by the Inspector have been overcome.
Has pedestrian accessibility been adequately considered?	The Transport Assessment and Travel Plan assess pedestrian routes, walking distances and sustainable travel opportunities. However, no specific assessment has been identified within the evidence reviewed of how the site's steep gradients affect everyday pedestrian movement or the practical accessibility of the development for all users.

Research Question	Evidence-based Finding
Has access for wheelchair users, mobility scooter users, families with prams and older residents been considered?	No objective evidence has been identified within the Transport Assessment or Travel Plan demonstrating that the practical implications of the site's steep gradients have been specifically assessed for wheelchair users, mobility scooter users, older people, families with pushchairs or other users with reduced mobility. The evidence primarily considers compliance with highway and transport policy rather than inclusive day-to-day accessibility.
Has emergency vehicle access been assessed?	The submitted highway evidence demonstrates that the internal road layout has been designed to accommodate service and refuse vehicles. However, no specific assessment has been identified within the evidence reviewed addressing emergency access under exceptional circumstances, including obstruction of the site's sole point of access.
Has winter operation of the access been assessed?	No objective evidence has been identified demonstrating that the operation of Salesbury View during periods of snow, ice or severe winter weather has been assessed. This issue is examined separately within the Winter Access and Highway Resilience Review.
Does the separate Highways Report identify issues not addressed within the application?	The Independent Highways Review prepared on behalf of the Parish Council should be read alongside this assessment. It provides a separate technical appraisal of matters relating to highway operation, gradients, accessibility and safety, and should be considered when determining whether the applicant has demonstrated that the Inspector's previous concerns have been overcome.
Has the relationship between the development and Public Right of Way FP25 changed?	The revised proposals retain Public Right of Way FP25 and include amendments to the landscape strategy and the relocation of the swale away from the Public Right of Way and adjacent woodland. Whilst these revisions represent improvements to the detailed design, the relationship between the development, the Public Right of Way and the site's topography remains fundamentally unchanged.
Has the impact of the pylons and overhead lines been reduced?	The physical presence of the pylons and overhead power lines remains unchanged. No objective evidence has been identified demonstrating that their relationship with the proposed development has materially altered since the appeal scheme.
Do the revised proposals better respect the existing landscape features?	The revised Landscape Masterplan includes additional planting, boundary treatment and landscape refinements intended to strengthen the site's integration with its surroundings. However, the applicant's

Research Question

Evidence-based Finding

own Key Changes document states that the majority of documents contain only minor changes and that the outcomes of the technical assessments have not significantly or demonstrably changed as a consequence. The evidence therefore demonstrates refinement of the landscape strategy rather than a fundamental change in the site's physical relationship with its surroundings.

Principal Question

Has the applicant produced objective evidence demonstrating that the cumulative effect of the site's significant level changes, sole vehicular access, Public Right of Way, existing landscape features and physical constraints no longer give rise to the concerns identified by the Inspector?

Evidence-based Answer

The applicant has submitted a substantial body of revised technical evidence, including an amended Transport Assessment, Travel Plan, highway consultation responses, revised site layout, finished levels, retaining wall details, landscape proposals and supporting design documents. These demonstrate that the scheme has evolved following the dismissed appeal and that a number of amendments have been made in response to the Inspector's findings.

However, the evidence reviewed confirms that the site's defining physical characteristics remain unchanged. The development continues to occupy a steeply sloping site with significant changes in level, relies upon a single vehicular access via the steep Salesbury View, is influenced by Public Right of Way FP25, existing woodland, overhead power infrastructure and its edge-of-settlement location, and continues to require substantial engineering works to facilitate development.

The applicant's own Explanation of Key Changes states that "the majority of documents have been updated with minor changes" and that "the outcomes of their assessments have not significantly or demonstrably changed due to the minor changes to the site." This is reflected in the revised drawings, which demonstrate refinement of the scheme rather than a fundamental redesign of the relationship between the development and the site's inherent constraints.

Whilst the submitted Transport Assessment concludes that the proposed highway arrangements are acceptable in technical terms, the evidence reviewed does not identify any specific assessment of how the cumulative effect of the site's steep gradients, sole means of access and physical constraints would affect everyday accessibility for all users, nor does it demonstrate that these combined constraints no longer give rise to the concerns identified by the Inspector. The evidence therefore demonstrates that the applicant has sought to mitigate the consequences of developing a constrained site, rather than objectively demonstrating that those constraints have been materially overcome.

Evidence-based Conclusion

Paragraph 9 marks a significant stage in the Inspector's reasoning by identifying the combination of physical characteristics that define both the site and its development potential. These are not isolated constraints but a series of interrelated factors – including steep topography, extensive level changes, the sole vehicular access via Salesbury View, Public Right of Way FP25, existing woodland, overhead power infrastructure and the site's edge-of-settlement location – which collectively influenced the Inspector's assessment of the proposal.

The revised application includes a number of amendments intended to respond to these constraints. However, comparison of the submitted evidence demonstrates that the site's defining physical characteristics remain unchanged and that the development continues to depend upon substantial engineering works and the same fundamental access strategy as the appeal scheme. The applicant's own evidence confirms that the majority of supporting technical documents have been updated only through minor changes and that the outcomes of those assessments have not significantly or demonstrably changed.

Taken together, the evidence reviewed does not objectively demonstrate that the cumulative effect of the site's physical constraints no longer gives rise to the concerns identified by the Inspector. Instead, it demonstrates that the revised proposals have been adapted to work within those constraints whilst continuing to rely upon the same underlying characteristics that formed an important part of the Inspector's assessment.

Outcome: ✗ Not overcome on the submitted evidence.

Paragraph 10

Inspector's Point

- 10.
- 11.
12. Being located towards the edge of the settlement, the site is part of a transition zone between the rural edge and the more built-up part of the settlement. Due to the change in land levels, the site occupies a prominent position and is visible from numerous public viewpoints, including a network of roads and public rights of way in the surrounding countryside.

Summary

The Inspector identifies the site as occupying an important transition between the settlement and the open countryside. Its elevated position and significant changes in level make it highly visible from surrounding roads, public rights of way and the wider landscape.

Initial Thoughts

- The Inspector identifies the site as forming an important transition between the built extent of Wilpshire and the surrounding countryside.
- The site's elevated position and significant changes in level continue to make it visually prominent within the wider landscape.
- Visibility from surrounding roads and Public Rights of Way is identified as a defining characteristic of the site rather than a consequence of the proposed development.
- Has the revised proposal materially reduced the visual prominence of the development within the landscape?
- Has the revised proposal better respected the settlement edge and its transition into the surrounding countryside?
- Do the revised Landscape Masterplan, Landscape and Visual Impact Assessment and visualisations objectively demonstrate a reduction in landscape and visual effects?
- Has the applicant demonstrated that the proposed landscaping would successfully assimilate the development into the landscape within a realistic timescale?
- Does the evidence demonstrate that the Inspector's previous concerns regarding the site's prominence and settlement-edge character have been overcome?

General Observation

The Inspector identifies the site's landscape role as extending beyond the application boundary. Rather than simply describing a parcel of land, she identifies a visually prominent transition between the built form of Wilpshire and the surrounding countryside. That role is created by the site's elevated position, steep topography and visibility from surrounding roads and Public Rights of Way, all of which remain unchanged. The question for this review is therefore whether the revised proposals objectively demonstrate a materially reduced landscape and visual impact, or whether the development would continue to alter the character of this important settlement edge.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment Relevant to Paragraph 10

The amended Landscape and Visual Impact Assessment (LVIA) provides the applicant's principal technical evidence regarding the visibility of the proposed development and its effect upon the site's role as the transition between Wilpshire and the surrounding countryside. It should be reviewed

alongside the previous appeal LVIA (Document 199) to establish whether the revised proposals objectively demonstrate a material reduction in landscape and visual effects.

Particular consideration should be given to:

- whether the site continues to occupy a prominent position within the wider landscape;
- whether visibility from surrounding roads and Public Rights of Way has been materially reduced;
- whether the residual effects identified by the applicant differ materially from those presented at the previous appeal;
- whether the proposed mitigation materially alters the Inspector's previous conclusions regarding the site's prominence; and
- whether the revised assessment is supported by sufficient visual evidence for all of the principal viewpoints identified within the LVIA.

Particular attention should also be given to **Viewpoint 8**. The applicant's own LVIA identifies Viewpoint 8 as continuing to experience a **Major Adverse** residual visual effect at both Year 1 and Year 15. However, no corresponding photomontage visualisation has been identified within the submitted Appendix D. Consequently, whilst visualisations have been prepared for other representative viewpoints, the evidence does not include a visual representation of one of the viewpoints identified by the applicant as continuing to experience one of the greatest residual effects. This limits the ability to independently assess the applicant's conclusions regarding the effectiveness of the proposed mitigation.

Document 25 – Amended LVIA Appendix C & D (Winter Photography and Photomontages)

Relevant to Paragraph 10

The photomontages and winter photography provide the principal visual evidence supporting the conclusions reached within the Landscape and Visual Impact Assessment. They should be reviewed to establish whether the submitted visualisations objectively demonstrate that the revised proposals have reduced the site's prominence within the landscape.

The review should establish:

- whether the selected viewpoints adequately represent the most sensitive public views;
- whether the visualisations support the conclusions reached within the LVIA;
- whether sufficient viewpoints have been illustrated to allow an objective assessment of visual effects;
- whether the predicted effectiveness of landscape mitigation is realistically demonstrated; and
- whether any key viewpoints identified within the LVIA have not been illustrated through photomontages.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 10

The amended Landscape Masterplan should be compared with the previous appeal Landscape Masterplan (Documents 182 and 230) to establish whether the revised landscape framework materially improves the site's relationship with the surrounding countryside.

Particular consideration should be given to:

- treatment of the settlement edge;
- strengthening of the eastern Green Belt boundary;
- woodland retention and reinforcement;
- landscape buffering;
- proposed structural planting; and
- whether the revised planting is capable of mitigating the visual prominence identified by the Inspector.

Document 98 – Illustrative Site Sections

Relevant to Paragraph 10

The Illustrative Site Sections should be reviewed alongside the previous appeal sections to determine whether the revised proposals reduce the apparent prominence of the development when viewed from the surrounding landscape.

The review should establish whether changes to building levels, retaining structures and finished ground levels materially reduce the site's visual exposure.

Document 75 – Committee Report

Relevant to Paragraph 10

The Committee Report should be reviewed to establish how the Local Planning Authority has assessed the revised landscape and visual evidence, and whether it accepts that the amendments materially reduce the site's prominence within the landscape and overcome the Inspector's previous concerns regarding the settlement edge.

Documents 13/14 – Amended Design and Access Statement

The Design and Access Statement explains the applicant's design rationale and should be reviewed to establish whether the proposed changes to layout, landscape and built form demonstrate a materially improved response to the site's prominent edge-of-settlement location.

Document 87 – Explanation of Key Changes

The Explanation of Key Changes should be reviewed to establish which amendments the applicant relies upon to demonstrate reduced landscape and visual impact, and whether those changes are capable of materially altering the conclusions reached by the Inspector.

Scope of Document Review

The following documents have been reviewed to establish whether the applicant has objectively demonstrated that the revised proposals reduce the site's prominence within the landscape and overcome the Inspector's previous concerns regarding the transition between the built edge of Wilpshire and the surrounding countryside.

The review considers whether the revised landscape strategy, visual assessments, photomontages, site layout and supporting design evidence demonstrate a material reduction in the site's visibility and landscape effects, or whether the revised proposals continue to give rise to the concerns identified by the Inspector.

Documents Reviewed

Primary Documents

- 26–28 – Amended Landscape and Visual Impact Assessment
- 25 – Amended Landscape and Visual Assessment Appendices A–D
- 24 – Amended Landscape Masterplan
- 98 – Illustrative Site Sections
- 75 – Committee Report

Secondary Documents

- 13/14 – Amended Design and Access Statement
- 87 – Explanation of Key Changes
- 50/55 – Amended Proposed Site Layout
- 246 – Appeal Decision

Assessment against Research Questions

Research Question	Evidence-based Finding
Has the site's role as a transition between the settlement and countryside changed?	No. The revised proposals continue to occupy the same edge-of-settlement location identified by the Inspector. The site's relationship with the surrounding countryside, Green Belt and existing built form remains unchanged. The amendments relate to the design of the development rather than the site's landscape role.

Research Question

Evidence-based Finding

Does the revised proposal better respect the settlement edge?

The amended Landscape Masterplan introduces revisions to structural planting, boundary treatment and landscape buffers intended to soften the settlement edge. These represent design refinements; however, the development continues to extend built form across the same prominent hillside identified by the Inspector. The evidence reviewed does not objectively demonstrate that the settlement edge has been fundamentally altered.

Has the impact on the rural character of the area been reduced?

The applicant concludes that the revised landscape proposals reduce the landscape effects of the development. However, the applicant's own 'Explanation of Key Changes' confirms that the majority of supporting documents contain only minor changes and that the outcomes of the technical assessments have not significantly or demonstrably changed as a consequence. The evidence therefore demonstrates refinement rather than a fundamental change in landscape effects.

Have the revised proposals reduced visibility from surrounding roads and Public Rights of Way?

The revised LVIA concludes that landscape mitigation will reduce visual effects over time. However, the site remains elevated and visually prominent from surrounding roads and Public Rights of Way. No objective evidence has been identified demonstrating that the development would cease to be a prominent feature within the wider landscape.

Do the revised LVIA and photomontages demonstrate a material reduction in visual impact?

The applicant has provided revised landscape assessments and photomontages for selected viewpoints. These demonstrate changes to the scheme and illustrate the proposed landscape mitigation. However, the evidence reviewed does not objectively demonstrate that the site's overall visual prominence has been materially reduced when compared with the appeal scheme.

Are all key viewpoints properly evidenced, particularly Viewpoint 8?

No. The applicant's own LVIA identifies Viewpoint 8 as continuing to experience a Major Adverse visual effect at both Year 1 and Year 15. However, no corresponding photomontage for Viewpoint 8 has been identified within the submitted Appendix D. Consequently, one of the viewpoints identified by the applicant as continuing to experience one of the greatest residual visual effects has not been illustrated through a visual representation, limiting independent assessment of the applicant's conclusions.

Research Question

Is there objective evidence that the proposed landscaping will successfully assimilate the development into the surrounding landscape?

Evidence-based Finding

The Landscape Masterplan proposes substantial structural planting intended to soften the development over time. However, the effectiveness of that planting is largely based upon predicted future growth. The applicant's own LVIA continues to identify Major Adverse visual effects at Viewpoint 8 after 15 years. This demonstrates that, even once the proposed planting has reached maturity, the applicant does not contend that the development will be fully assimilated into the surrounding landscape from all sensitive viewpoints.

Principal Question

Has the applicant demonstrated, through objective evidence, that the revised proposals have reduced the site's prominence within the landscape and its impact on the transition between the settlement and the surrounding countryside?

Evidence-based Answer

The applicant has submitted revised landscape evidence, including an amended Landscape and Visual Impact Assessment, Landscape Masterplan, Design and Access Statement, photomontages and supporting drawings, to demonstrate that the revised proposals respond more sympathetically to the site's landscape setting and edge-of-settlement location.

The evidence confirms that amendments have been made to the layout, landscape framework and proposed mitigation. However, the site's defining characteristics remain unchanged. The development continues to occupy a prominent, elevated position forming the transition between the built edge of Wilpshire and the surrounding countryside, and remains visible from surrounding roads and Public Rights of Way.

Whilst the applicant concludes that the revised proposals reduce landscape and visual effects over time, the submitted evidence does not objectively demonstrate that the site's overall prominence has been materially reduced. The applicant's own Explanation of Key Changes confirms that the majority of supporting documents have been updated through minor changes and that the outcomes of the technical assessments have not significantly or demonstrably changed as a consequence.

Furthermore, the applicant's own Landscape and Visual Impact Assessment continues to identify Viewpoint 8 as experiencing a Major Adverse residual visual effect at both Year 1 and Year 15. Despite this, no corresponding photomontage has been identified within the submitted visual assessment to enable independent examination of one of the most affected viewpoints.

Accordingly, whilst the evidence demonstrates refinement of the landscape strategy, it does not objectively demonstrate that the revised proposals have materially reduced the site's prominence within the landscape or overcome the Inspector's previous concerns regarding the settlement edge.

Evidence-based Conclusion

The Inspector identified the site's prominent landscape position and its role as the transition between the settlement and the surrounding countryside as fundamental characteristics influencing the acceptability of the proposal. Those characteristics remain unchanged.

The revised application introduces amendments to the landscape strategy, planting proposals and site layout intended to reduce visual effects. However, comparison of the submitted evidence demonstrates that these revisions represent refinement of the scheme rather than a fundamental alteration to the relationship between the proposed development and its landscape setting. The applicant's own evidence confirms that the majority of supporting technical documents have been subject only to minor changes, with assessment outcomes that have not significantly or demonstrably changed.

Most significantly, the applicant's own Landscape and Visual Impact Assessment continues to identify Major Adverse residual effects from Viewpoint 8 after 15 years, indicating that even once the proposed structural planting has matured, the development would remain a prominent feature within the landscape from one of the site's most sensitive viewpoints. Despite this conclusion, no corresponding photomontage has been identified to enable independent assessment of the predicted residual effects. Taken together, the evidence reviewed does not objectively demonstrate that the revised proposals have materially reduced the site's prominence within the landscape or overcome the Inspector's previous concerns regarding the transition between Wilpshire and the surrounding countryside.

Outcome - ✗ Not overcome on the submitted evidence.

Reason: The applicant has refined the landscape strategy and introduced additional mitigation, but the submitted evidence does not objectively demonstrate that the site's fundamental landscape role or visual prominence has materially changed. The applicant's own assessment continues to identify Major Adverse residual effects from a highly sensitive viewpoint after 15 years, whilst no photomontage has been provided for that viewpoint to substantiate the conclusions reached.

Paragraph 11

Inspector's Point

11. The layout has been largely dictated due to the constraint of the overhead power line, the sites topography and a large diameter water main and a row of trees that cross the site. The single access into the site runs westwards towards the centre of the site and sweeps almost 90 degrees to continue northwards, largely following the contour of the hillside to end in a cul-de-sac. Either side of the north section of the estate road would be split level semi-detached and detached dwellings surrounded by landscaping to the boundaries of the site.

Summary

The Inspector confirms that the proposed layout is heavily constrained by the site's existing characteristics, including the overhead power lines, topography, water main and existing trees. These constraints largely dictate the road layout and disposition of the proposed dwellings.

Initial Thoughts

- The Inspector identifies the layout as being largely dictated by the site's physical constraints rather than by design choice.
- The principal physical constraints remain unchanged.
- Has the revised layout materially changed since the appeal, or has it simply been refined?
- Does the estate road continue to follow the hillside because of the site's topography?
- Have the proposed split-level dwellings become less reliant upon engineered platforms and retaining structures?
- Has the revised proposal reduced the extent of cut and fill required to accommodate development?
- Does the revised layout demonstrate a more successful design response to the site's inherent constraints?
- Have the cumulative amendments materially altered the relationship between the built form and the surrounding landscape?

General Observation

The Inspector identifies that the form of the development is largely a consequence of the site's physical constraints rather than an independent design choice. The alignment of the estate road, the disposition of the dwellings and the use of split-level development are presented as responses to the site's topography, existing infrastructure and landscape features. The question for this review is therefore whether the revised proposals demonstrate that these constraints have been more successfully resolved, or whether the amended layout continues to be fundamentally dictated by the same physical limitations identified by the Inspector.

Review of Submitted Evidence

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 11

The amended Proposed Site Layouts should be reviewed alongside the previous appeal layouts (Documents 241 and 242) to establish whether the revised proposals demonstrate a materially different design response to the site's physical constraints. Particular consideration should be given to

changes in the alignment of the estate road, the disposition of the dwellings, the relationship with the site's existing topography and the extent to which the layout continues to be dictated by existing infrastructure and landscape features.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 11

The amended Proposed Site Sections should be compared with the previous appeal longitudinal sections (Documents 232–234) to determine whether the revised proposals reduce reliance upon split-level development, engineered platforms, cut and fill operations and retaining structures. Particular consideration should be given to whether the revised sections demonstrate a materially improved relationship between the proposed development and the existing landform.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 11

The amended Retaining Wall Sections should be reviewed alongside the previous appeal External Works drawings and sectional information (Documents 265, 266 and 302, where relevant) to establish whether the extent, height and prominence of retaining structures have been materially reduced since the appeal scheme, and whether the revised proposals demonstrate a more sympathetic response to the site's natural topography.

Documents 65/66 – Schematic Finished Levels

Relevant to Paragraph 11

The Schematic Finished Levels provide detailed evidence of the relationship between the proposed development and the site's existing landform. They should be reviewed alongside the previous appeal layout, longitudinal sections and external works drawings (Documents 241, 242, 232–234 and 265–266) to establish whether the revised proposals reduce the degree of land regrading required and whether the revised layout works more successfully with the existing contours.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 11

The Design and Access Statement explains how the revised layout has evolved in response to the site's opportunities and constraints. It should be reviewed alongside the previous Design and Access Statements (Documents 197, 225 and 258) to determine whether the design rationale has materially evolved following the appeal and whether the amended layout demonstrates a materially improved response to the physical constraints identified by the Inspector.

Document 119 – Planning Statement

Relevant to Paragraph 11

The Planning Statement sets out the applicant's overall justification for the revised layout and explains how the amendments are intended to address the Inspector's previous findings. It should be reviewed alongside the previous Planning Statement (Document 294) to determine whether the claimed improvements are supported by objective evidence or whether they primarily reflect changes in planning judgement.

Secondary Documents

Document 24 – Amended Landscape Masterplan

The amended Landscape Masterplan should be reviewed alongside the previous Landscape Masterplans (Documents 182, 229 and 230) to establish whether revisions to the landscape framework materially improve the relationship between the layout and the surrounding landscape, particularly where development meets the settlement edge and open countryside.

Documents 26–28 – Amended Landscape and Visual Impact Assessment

The amended Landscape and Visual Impact Assessment should be reviewed alongside the appeal LVIA (Document 289) to determine whether the revised layout results in a demonstrably improved landscape response compared with the appeal scheme.

Document 87 – Explanation of Key Changes

The Explanation of Key Changes should be reviewed to identify which amendments the applicant relies upon to demonstrate that the revised layout responds more successfully to the site's physical constraints, and whether those changes represent fundamental design alterations or refinements to the previous scheme.

Document 75 – Committee Report

The Committee Report should be reviewed to establish whether the Local Planning Authority considers that the revised layout overcomes the Inspector's previous concerns regarding the relationship between the development and the site's physical constraints, and whether that conclusion is supported by the submitted evidence.

Assessment against Research Questions

Research Question	Evidence-based Assessment
Has the overall layout materially changed since the appeal?	The reviewed drawings demonstrate amendments to the arrangement of plots and some localised refinements. However, the overall structure of the development, including the principal spine road, housing parcels and relationship with the site constraints, remains substantially unchanged.
Have the physical constraints been overcome or simply accommodated?	The evidence indicates that the revised scheme continues to accommodate the site's constraints rather than overcoming them. The overhead power lines, easement, topography, water main and existing tree belts continue to dictate the disposition of the development.
Has the estate road alignment materially changed?	No material alteration has been identified. The estate road continues to follow the contours of the hillside, reflecting the site's underlying topography.
Have split-level dwellings reduced in prominence?	The sectional drawings continue to illustrate extensive split-level development responding to the site's changing levels. Whilst local amendments have been made, the fundamental design approach remains unchanged.
Have retaining structures and engineering works been materially reduced?	The reviewed drawings continue to rely upon engineered platforms, retaining structures and finished level adjustments across the site. No objective evidence has yet been identified demonstrating a fundamental reduction in reliance upon engineering works.
Does the revised layout respond more successfully to the site's constraints?	The submitted evidence demonstrates refinement of the previous scheme rather than a fundamentally different design response. The physical constraints identified by the Inspector continue to govern the layout, road alignment and form of development.

Principal Question

Has the applicant objectively demonstrated that the revised layout responds more successfully to the site's physical constraints and overcomes the Inspector's previous concerns regarding the character and appearance of the area?

Evidence-based Answer

The evidence reviewed does not demonstrate that the site's fundamental physical constraints have been overcome. Rather, it demonstrates that the revised proposals continue to be shaped by those constraints in much the same way as the appeal scheme.

Comparison of the previous and revised Site Layouts confirms that the overall development strategy remains substantially unchanged. The principal estate road continues to follow the site's contours, with residential development arranged on either side and fitted around the existing overhead power lines, easement, water main and established tree belts. Whilst a number of local amendments have been made to the disposition of individual plots and landscape treatment, no objective evidence has been identified demonstrating a fundamentally different design response to the site's inherent constraints.

The Longitudinal Sections, Site Sections, Finished Levels and Retaining Wall drawings continue to demonstrate reliance upon engineered platforms, split-level development, retaining structures and significant manipulation of existing ground levels in order to accommodate the proposed development across the steeply sloping site. These drawings indicate that engineering solutions remain integral to the scheme rather than exceptional measures required only in isolated locations.

The Design and Access Statement and Planning Statement explain how the revised proposals have been refined following the appeal. However, when considered alongside the amended drawings, the evidence demonstrates refinement of the previous layout rather than a materially different design approach capable of overcoming the constraints identified by the Inspector.

Evidence-based Conclusion

The evidence reviewed demonstrates that the revised application continues to be dictated by the same physical constraints identified by the Inspector, namely the site's steep topography, overhead power lines, easement, water main and established landscape features. Whilst amendments have been made to the detailed layout and landscape proposals, no objective evidence has been identified demonstrating that these constraints exert materially less influence over the form, alignment or disposition of the development than they did within the dismissed appeal scheme.

The cumulative evidence therefore indicates that the revised proposals continue to rely upon extensive engineering works, split-level development and a road layout following the existing contours in order to make the site developable. Consequently, the evidence does not demonstrate that the revised layout represents a fundamentally more sympathetic response to the site's physical characteristics or that it overcomes the concerns identified by the Inspector regarding the relationship between the development and its constrained setting.

Outcome - ✗ Not Demonstrated

The evidence reviewed does not objectively demonstrate that the revised layout overcomes the Inspector's previous concerns. Instead, it demonstrates that the development continues to be fundamentally dictated by the site's physical constraints, with amendments amounting principally to refinement of the previous scheme rather than a materially different design response. Accordingly, the evidence does not support the conclusion that the revised proposals have satisfactorily addressed the Inspector's findings under Paragraph 11.

Paragraph 12

Inspector's Point

12. At the southern end of the site, a semi-circular crescent of detached dwellings would front an area of open space that follows the route of the overhead power line and includes an attenuation pond and play area. Two cul-de-sacs of dwellings sit centrally within the site and extend towards the east and west boundaries.

Summary

The Inspector describes the arrangement of the southern part of the development, comprising a crescent of detached dwellings overlooking an area of public open space beneath the overhead power line, together with two central cul-de-sacs extending towards the eastern and western site boundaries. The paragraph records how the layout responds to the site's physical constraints before any assessment of its acceptability is made.

Initial Thoughts

- The Inspector is describing the layout rather than expressing criticism at this stage.
- The arrangement of the southern crescent, open space and central cul-de-sacs is presented as a direct response to the site's physical constraints.
- Has the overall arrangement of the southern crescent of dwellings materially changed since the appeal?
- Have the two central cul-de-sacs been reconfigured in a way that demonstrates a materially different design approach?
- Has the distribution or function of the open space beneath the overhead power line changed?
- Does the revised layout make more effective use of the constrained land beneath the overhead power line?
- Has the relationship between the proposed dwellings, public open space and surrounding landscape materially improved?
- Does the revised layout reduce reliance upon engineering works within this part of the site?
- Do the amendments represent a fundamentally different layout, or refinement of the previous scheme?

General Observation

The Inspector continues by describing the organisation of the proposed development and the way in which the layout responds to the site's existing constraints. Rather than assessing whether the arrangement is acceptable, the paragraph explains how the southern part of the scheme has been configured around the overhead power line, open space and the site's topography. The purpose of this review is therefore to determine whether the revised proposals demonstrate a materially different and more successful design response than the scheme previously dismissed at appeal, or whether the same underlying layout strategy has been retained with only limited refinement.

Review of Submitted Evidence

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 12

The amended Proposed Site Layouts provide the principal evidence of how the applicant has organised development within the southern part of the site. They illustrate the relationship between the southern crescent of detached dwellings, the central cul-de-sacs, the principal area of public open space and the overhead power line corridor.

Comparison with the appeal layouts (Documents 241 and 242) provides evidence of whether the revised proposals represent a materially different layout strategy or retain the same underlying arrangement with more limited refinements.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 12

The amended Landscape Masterplan illustrates the proposed treatment of the public open space, attenuation features, play area, planting strategy and landscape buffers. Together with comparison against the appeal Landscape Masterplan (Documents 182 and 230), it provides evidence of whether revisions to the landscape framework materially alter the relationship between housing, open space and the site's existing landscape features or principally refine the previous approach.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 12

The Design and Access Statement explains the design evolution of the revised proposals and the applicant's rationale for the amended layout. It provides evidence of how the applicant considers the revised scheme responds to the site's physical constraints and should be considered alongside the layout drawings to establish whether the stated design objectives are reflected in the built form.

Document 119 – Planning Statement

Relevant to Paragraph 12

The Planning Statement sets out the applicant's overall planning justification for the revised proposals and explains how the amendments are intended to address the Inspector's previous findings. It provides evidence of the applicant's case that the revised layout represents an improved design response and should be considered alongside the amended drawings and technical evidence.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 12

The Explanation of Key Changes identifies the amendments made following dismissal of the appeal and explains which changes the applicant considers respond to the Inspector's previous concerns. It provides an important reference against which the revised drawings and supporting documents can be assessed to determine whether the claimed changes are reflected in the submitted scheme.

Secondary Documents

Documents 27/28 – Amended Landscape and Visual Impact Assessment

The amended Landscape and Visual Impact Assessment provides the applicant's technical assessment of the revised landscape proposals and explains how the amended layout is intended to integrate with the surrounding landscape. It should be considered alongside the Landscape Masterplan and Site Layout to establish whether the revised proposals materially improve the relationship between development, public open space and the site's landscape setting.

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised proposals and explains why officers consider the amended layout acceptable. It provides an important benchmark against which the applicant's supporting evidence and the Inspector's previous findings can be compared.

Scope of Document Review

The following documents have been reviewed to establish whether the applicant has materially altered the layout strategy for the southern part of the site following the dismissed appeal. Particular consideration has been given to whether the revised proposals demonstrate a more successful design response to the site's physical constraints, including the overhead power line, open space, topography and existing landscape features.

The review considers whether comparison of the revised and appeal proposals demonstrates a materially different arrangement of the southern crescent of detached dwellings, the central cul-de-sacs and the associated areas of public open space, or whether the revised application retains the same underlying layout strategy with more limited refinements.

Documents Reviewed

Primary Documents

- 50 / 55 – Amended Proposed Site Layout
- 24 – Amended Landscape Masterplan
- 13 / 14 – Amended Design and Access Statement

Secondary Documents

- 56–58 – Amended Proposed Site Sections
- 65 / 66 – Schematic Finished Levels
- 75 – Committee Report
- 87 – Explanation of Key Changes

Comparative Appeal Documents

- 241 / 242 – Appeal Proposed Site Layout
- 230 – Appeal Landscape Masterplan
- 232–234 – Appeal Longitudinal Sections

Assessment against Research Questions

Research Question	Evidence-based Finding
Has the southern crescent of detached dwellings been retained or amended?	The Planning Statement, Design and Access Statement and Explanation of Key Changes identify a number of amendments to the overall scheme, including revisions to the layout, landscape strategy and engineering works. However, comparison of the amended Proposed Site Layouts with the appeal layouts demonstrates that the southern crescent of detached dwellings remains a defining component of the overall layout strategy. Whilst detailed amendments have been made to individual plots and surrounding landscape treatment, the evidence does not demonstrate that this fundamental element of the layout has been materially reconfigured.
Have the two central cul-de-sacs been altered since the appeal?	Comparison of the amended and appeal Site Layouts demonstrates that the principal estate road continues to terminate in two subsidiary cul-de-sacs extending towards the eastern and western boundaries. Neither the Planning Statement nor the Design and Access Statement identifies any fundamental redesign of this arrangement, and the submitted drawings demonstrate continuity of the overall development structure notwithstanding localised refinements.
Has the distribution of open space changed?	The Explanation of Key Changes identifies amendments to the landscape proposals, including relocation of the swale, revisions to planting and associated landscape works. The amended Landscape Masterplan reflects these changes. However, comparison with the appeal Landscape Masterplan demonstrates that the principal area of public open space continues to occupy broadly the same strategic location beneath the overhead power line corridor and remains integral to the overall layout strategy.
Has the relationship between built development and the overhead power line changed?	The submitted evidence demonstrates that the overhead power line remains a primary physical constraint influencing the disposition of development. The amended Site Layout and Landscape Masterplan continue to organise housing around the easement, with public open space occupying the constrained corridor. Whilst detailed changes have been made to the surrounding landscape treatment, the evidence does not demonstrate that the relationship between built development and the overhead power line has fundamentally changed.

Research Question

Does the revised scheme continue to locate the attenuation features and principal public open space beneath the overhead power line?

Evidence-based Finding

The amended drawings demonstrate that the applicant has refined elements of the drainage and landscape design, including relocation of the swale. Nevertheless, the strategic use of the overhead power line corridor for public open space and associated drainage infrastructure remains substantially consistent with the appeal scheme. The evidence therefore demonstrates refinement of the previous approach rather than adoption of a materially different layout strategy.

Has the design or function of the open space been improved?

The amended Landscape Masterplan, Design and Access Statement and Key Changes document identify improvements to planting, landscape treatment and the detailed design of the public realm. These amendments have the potential to improve aspects of the landscape framework. However, the submitted evidence does not demonstrate that these refinements fundamentally alter the role of the open space within the overall development or overcome the physical constraints that originally dictated its location.

Does the revised layout provide a better relationship between housing, open space and landscape features?

Taken together, the Planning Statement, Design and Access Statement, Landscape Masterplan, Explanation of Key Changes and amended layout drawings demonstrate that the applicant has sought to refine the relationship between housing, landscape and public open space. However, comparison with the appeal proposals demonstrates that the underlying layout strategy remains substantially unchanged, with the arrangement of development continuing to respond primarily to the site's existing physical constraints. The evidence therefore demonstrates incremental refinement rather than a fundamentally different design response.

Principal Question

Has the applicant demonstrated that the revised layout of the southern part of the site, including the arrangement of detached dwellings, public open space and central cul-de-sacs, responds more successfully to the site's physical constraints and overall design objectives than the scheme previously dismissed at appeal?

Evidence-based Answer

The evidence reviewed demonstrates that the applicant has introduced a number of amendments to the detailed layout, landscape treatment and engineering of the southern part of the site following the dismissed appeal. The Planning Statement, Design and Access Statement and Explanation of Key Changes describe revisions to the landscape strategy, drainage infrastructure, planting proposals and elements of the residential layout, whilst the amended Site Layout and Landscape Masterplan illustrate how these changes have been incorporated into the revised scheme.

However, when these documents are considered collectively and compared with the appeal proposals, the evidence demonstrates that the fundamental layout strategy has been retained. The southern crescent of detached dwellings continues to front the principal area of public open space beneath the overhead power line, whilst the two central cul-de-sacs remain integral to the overall disposition of development. Although the landscape framework and associated public realm have been refined, the submitted evidence does not demonstrate that the relationship between housing, open space and the site's physical constraints has been fundamentally reconfigured.

Accordingly, the evidence demonstrates refinement of the previous scheme rather than a materially different design response capable of overcoming the Inspector's previous concerns.

Evidence-based Conclusion

Taken as a whole, the applicant's own evidence demonstrates that amendments have been made to the detailed design and landscape treatment of the southern part of the site. These include refinements to the landscape proposals, drainage strategy and aspects of the residential layout. However, neither the applicant's supporting statements nor comparison of the revised and appeal drawings demonstrates that the underlying spatial arrangement of development has materially changed.

The southern crescent, the central cul-de-sac arrangement and the strategic use of the overhead power line corridor for public open space remain fundamental components of the revised scheme. Whilst these elements have been refined, the evidence demonstrates that they continue to reflect the same underlying design response to the site's physical constraints that informed the dismissed appeal.

The evidence therefore does not objectively demonstrate that the revised layout of the southern part of the site represents a materially different or more successful response to the site's constraints than the scheme previously considered by the Inspector.

Outcome - ❌ Not Demonstrated

The submitted evidence demonstrates that the revised proposals include a number of detailed amendments and landscape refinements. However, when the Planning Statement, Design and Access Statement, Explanation of Key Changes, Landscape Masterplan, amended layout drawings and the appeal scheme are considered together, the evidence demonstrates refinement of the previous design rather than a fundamentally different layout strategy. Consequently, the evidence does not demonstrate that the revised proposals overcome the Inspector's concerns regarding the organisation of development within the southern part of the site.

Paragraph 13

Inspector's Point

13. Two pedestrian routes to PRoW 25 would be incorporated within the proposed layout as well as a pedestrian route linking the east and west parts of the site alongside an existing row of trees, which forms a further band of open space across the site. These linkages would allow permeability through the site and into the surrounding countryside.

Summary

The Inspector describes the proposed pedestrian network, including links to PRoW 25 and an east-west pedestrian route through the site. She notes that these connections would improve permeability through the development and provide access to the surrounding countryside.

Initial Thoughts

- The Inspector identifies the proposed pedestrian network as a positive aspect of the scheme, noting that it would provide permeability through the development and improve access to the surrounding countryside.
- The pedestrian links to PRoW 25 and the east-west route are described as integral components of the overall layout rather than incidental footpaths.
- Has the revised proposal retained the same pedestrian network, or have the routes been materially altered since the appeal?
- Do the revised proposals improve the relationship between the development and PRoW 25?
- Has the design of the pedestrian routes been amended to better respect the site's existing landscape features, particularly the established tree belts and woodland?

- Does the revised layout improve the accessibility, usability and legibility of the pedestrian network?
- Are the pedestrian routes capable of providing convenient access for all users, including older people, wheelchair users, families with young children and people with limited mobility?
- Does the revised proposal maintain meaningful permeability through the site, or have subsequent amendments reduced the effectiveness of these connections?
- Have any changes to the landscape strategy, drainage features or site levels affected the quality, accessibility or practicality of the proposed pedestrian routes?

General Observation

The Inspector identifies the pedestrian network as an important component of the overall design, highlighting the proposed connections to Public Right of Way 25 and the east-west pedestrian route through the site. At this stage, the Inspector records the intended function of these routes in providing permeability through the development and access to the surrounding countryside, rather than expressing a view on their acceptability. The purpose of this review is therefore to establish whether the revised proposals continue to provide the same level of permeability and whether the submitted evidence demonstrates that the pedestrian network responds more successfully to the site's physical constraints, landscape features and accessibility objectives than the scheme previously dismissed at appeal.

Review of Submitted Evidence

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 13

The amended Proposed Site Layouts provide the principal evidence of the proposed pedestrian network, including the routes linking the development to Public Right of Way 25 and the east-west pedestrian connection through the site. Comparison with the appeal layouts (Documents 241 and 242) provides evidence of whether the revised proposals materially alter the alignment, continuity or function of these pedestrian routes and whether permeability through the development has changed since the appeal.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 13

The amended Landscape Masterplan illustrates how the pedestrian network integrates with the landscape framework, including the retained tree belts, areas of public open space and the connection to the surrounding countryside. Comparison with the appeal Landscape Masterplans (Documents 182 and 230) provides evidence of whether the revised landscape proposals improve the relationship between pedestrian movement, existing landscape features and Public Right of Way 25.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 13

The Design and Access Statement explains the design rationale behind the proposed pedestrian network and the intended relationship between movement, landscape and the wider settlement. It provides evidence of how the applicant considers the revised proposals improve permeability, accessibility and connectivity and should be assessed alongside the layout and landscape drawings to establish whether those objectives are reflected in the revised scheme.

Document 119 – Planning Statement

Relevant to Paragraph 13

The Planning Statement sets out the applicant's planning case for the revised proposals and explains how the development is intended to integrate with the surrounding area. It provides evidence of the applicant's justification for the proposed pedestrian connections and should be considered alongside the amended drawings to determine whether the claimed benefits are supported by the submitted scheme.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 13

The Explanation of Key Changes identifies the amendments made following the dismissed appeal, including changes to the landscape strategy, drainage proposals and public realm. It provides evidence of whether any revisions have been made to the pedestrian network and whether those changes are relied upon by the applicant as addressing the Inspector's previous findings.

Secondary Documents

Documents 27/28 – Amended Landscape and Visual Impact Assessment

The amended Landscape and Visual Impact Assessment considers the relationship between the revised development and the surrounding landscape, including Public Right of Way 25 and the wider network of public viewpoints. It provides evidence of how the applicant considers the revised pedestrian connections integrate with the site's landscape setting and whether they materially affect the character of the surrounding countryside.

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised pedestrian network and the relationship between the development, Public Right of Way 25 and the surrounding landscape. It provides evidence of whether officers consider the revised proposals to satisfactorily address the Inspector's previous findings.

Scope of Document Review

The following documents have been reviewed to establish whether the applicant has materially amended the proposed pedestrian network following the dismissed appeal. Particular consideration has been given to whether the revised proposals demonstrate an improved relationship between the development, Public Right of Way 25, the east-west pedestrian link and the surrounding landscape, whilst maintaining convenient, legible and accessible movement through the site.

The review considers whether the applicant's supporting statements, landscape proposals and amended drawings collectively demonstrate that the revised pedestrian network responds more successfully to the site's physical constraints and provides meaningful permeability for future users.

Documents Reviewed

Primary Documents

- **50/55** – Amended Proposed Site Layout
- **24** – Amended Landscape Masterplan
- **13/14** – Amended Design and Access Statement

Secondary Documents

- **119** – Planning Statement
- **87** – Explanation of Key Changes
- **75** – Committee Report
- **27/28** – Amended Landscape and Visual Impact Assessment

Comparative Appeal Documents

- **241/242** – Appeal Proposed Site Layout
- **230** – Appeal Landscape Masterplan
- **250** – Appeal Statement of Case – Design
- **251** – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Have the pedestrian links to PRoW 25 been retained or amended?

Evidence-based Finding

The Planning Statement, Design and Access Statement and amended Site Layout continue to promote pedestrian connectivity as a key component of the development. Comparison with the appeal layout demonstrates that pedestrian links to PRoW 25 have been retained. The principal amendment identified within the Explanation of Key Changes is the relocation of the swale away from the Public Right of Way and adjacent woodland, improving coordination between the drainage strategy and the pedestrian route. The evidence therefore demonstrates refinement of the connection rather than a fundamentally different approach to site permeability.

Research Question

Has the east-west pedestrian route materially changed since the appeal?

Does the revised proposal continue to provide permeability through the development?

Has the relationship between the pedestrian routes and PRoW 25 been improved?

Do the revised proposals better integrate pedestrian movement with the landscape framework?

Evidence-based Finding

Comparison of the amended Site Layout and Landscape Masterplan with the appeal scheme demonstrates that the east-west pedestrian connection associated with the retained tree belt remains a fundamental component of the movement strategy. Neither the Planning Statement nor the Design and Access Statement identifies a material alteration to this route, indicating that the applicant continues to rely upon the same overall approach to pedestrian movement across the site.

The applicant consistently identifies permeability as one of the principal design objectives of the scheme. The amended Site Layout, Landscape Masterplan and Design and Access Statement continue to provide pedestrian links through the site and onward connections to PRoW 25 and the surrounding countryside. The submitted evidence therefore demonstrates that the overall permeability strategy identified by the Inspector has been retained within the revised proposals.

The Explanation of Key Changes confirms that the swale has been relocated away from PRoW 25 and the adjacent woodland following consultation. The amended Landscape Masterplan reflects this change, reducing a specific conflict between drainage infrastructure and the Public Right of Way. This represents a genuine detailed improvement to the interface with PRoW 25, although the overall relationship between the development and the Public Right of Way remains substantially unchanged from the appeal scheme.

The amended Landscape Masterplan introduces revisions to planting, woodland management, open space and the green corridor linking the development to PRoW 25. Comparison with the appeal Landscape Masterplan demonstrates that these amendments strengthen aspects of the landscape framework. However, the overall strategy of integrating pedestrian routes within retained landscape corridors remains consistent with the appeal proposals.

Research Question

Has the applicant demonstrated that the pedestrian routes are inclusively usable as well as physically connected?

Have the revised engineering works, drainage proposals and changes in level improved pedestrian movement?

Do the applicant's supporting documents collectively demonstrate a materially improved pedestrian strategy compared with the appeal scheme?

Evidence-based Finding

The submitted drawings clearly demonstrate the existence of pedestrian routes throughout the development. The Planning Statement and Design and Access Statement rely upon these routes as evidence of site permeability and connectivity. However, no coordinated route-specific assessment has been identified demonstrating that the principal pedestrian routes can be used conveniently and independently by the full range of future residents, including older people, wheelchair users, mobility scooter users and others with reduced mobility, across the site's significant changes in level. The evidence therefore demonstrates physical permeability more clearly than inclusive permeability.

The revised proposals include amendments to drainage infrastructure, landscape treatment, retaining structures and finished levels. The relocation of the swale demonstrates an improvement to the detailed coordination of the pedestrian network. However, the amended engineering drawings continue to show that pedestrian routes are closely influenced by the site's steep topography and engineered landform. The submitted evidence does not demonstrate that these revisions fundamentally change the relationship between pedestrian movement and the site's physical constraints.

Considered collectively, the Planning Statement, Design and Access Statement, Explanation of Key Changes, Landscape Masterplan, amended Site Layout and Committee Report demonstrate that the applicant has refined elements of the pedestrian network and landscape framework following the dismissed appeal. Comparison with the appeal drawings confirms these detailed improvements. However, the evidence also demonstrates that the underlying movement strategy, including the principal pedestrian connections to PRoW 25 and the east-west route through the site, remains substantially unchanged. The evidence therefore demonstrates refinement of the previous scheme rather than a fundamentally different approach to pedestrian permeability.

Principal Question

Has the applicant objectively demonstrated that the revised pedestrian network, including the links to Public Right of Way 25 and the east-west pedestrian connection, provides a materially improved and more successful response to the site's physical constraints than the scheme previously dismissed at appeal?

Evidence-based Answer

The submitted evidence demonstrates that the revised proposals retain the principal pedestrian connections identified by the Inspector, including links to Public Right of Way 25 and the east-west pedestrian route through the site. The Planning Statement, Design and Access Statement and Landscape Masterplan continue to identify permeability and connectivity as key design objectives, whilst the Explanation of Key Changes confirms that amendments have been made to improve the detailed relationship between the pedestrian network, drainage infrastructure and surrounding landscape, including relocation of the swale away from PRoW 25 and the adjacent woodland.

These amendments represent genuine refinements to the detailed design of the scheme. However, when the applicant's supporting documents are considered collectively and compared with the appeal proposals, the evidence demonstrates that the underlying pedestrian strategy remains substantially unchanged. The principal pedestrian routes continue to occupy broadly the same locations and perform the same function within the overall layout.

Furthermore, whilst the submitted drawings clearly demonstrate physical connectivity, no coordinated evidence has been identified demonstrating that the pedestrian network provides convenient, inclusive and independently usable routes for the full range of future residents across the site's significant changes in level. The evidence therefore demonstrates refinement of the previous scheme rather than a materially different approach to pedestrian movement and accessibility.

Evidence-based Conclusion

Taken as a whole, the applicant's evidence demonstrates that the revised proposals maintain the permeability identified by the Inspector and include a number of detailed improvements to the relationship between the pedestrian network, landscape framework and Public Right of Way 25. In particular, the relocation of the swale away from the Public Right of Way represents a positive response to consultation comments and improves the detailed coordination of the scheme.

However, the evidence also demonstrates that the fundamental pedestrian strategy remains substantially the same as that previously considered at appeal. The revised proposals continue to rely upon the same principal connections, with amendments focused on refinement rather than redesign.

Whilst the applicant asserts that the revised proposals provide improved connectivity and permeability, the submitted evidence does not objectively demonstrate that these refinements amount to a materially more successful response to the site's significant topographical constraints or that the pedestrian network functions inclusively for the full range of future users. Consequently, the evidence does not demonstrate that the Inspector's previous observations regarding the site's movement strategy have been materially overcome.

Outcome ✗ Not Demonstrated

Although the revised application includes targeted improvements to the detailed design of the pedestrian network, particularly in relation to the interface with Public Right of Way 25, the applicant has not objectively demonstrated that the revised movement strategy represents a materially different or more successful response to the site's physical constraints than the scheme previously dismissed at appeal. The evidence demonstrates refinement of the existing pedestrian network rather than a fundamentally improved approach to permeability and inclusive movement across the site.

Paragraph 14

Inspector's Point

14. The layout allows for a mix of frontage and side parking, attached, detached and integral garages separated by frontage tree or hedge planting within front gardens. While Plots 12 to 17 rely on frontage parking, this would be a relatively short stretch of cul-de-sac located integrally within the overall site. It would not be readily apparent when viewed from outside the site or from the main internal access road and would not dominate the overall layout. Furthermore, following amendments and details of clarification during processing of the planning application, the Highway Authority have not raised an objection to the highway layout of the scheme.

Summary

The Inspector describes the proposed parking arrangement and concludes that the frontage parking serving Plots 12 to 17 would not dominate the overall layout. She also notes that, following amendments during the application process, the Highway Authority did not object to the highway layout of the scheme.

Initial Thoughts

- The Inspector concludes that the proposed parking arrangements, including the limited area of frontage parking serving Plots 12–17, would not dominate the overall street scene.
- The acceptability of the frontage parking is linked to its limited extent, its location within the development and the proposed landscape treatment.
- Has the revised parking layout materially changed since the appeal?
- Has the relationship between frontage parking, garages, landscaping and the street scene been improved?

- Have amendments to the layout altered the visibility or prominence of frontage parking within the development?
- The Inspector specifically records that the Highway Authority did not object to the highway layout of the scheme following amendments and clarification during the application process.
- Which elements of the highway layout were amended before the Highway Authority withdrew its objection?
- Did the Highway Authority's assessment relate solely to the proposed internal estate roads, or did it also consider the suitability, resilience and operation of the existing approach via Salesbury View?
- Has the revised application introduced any material changes to the external access arrangements, or does the development continue to rely upon the same sole vehicular access identified at the appeal?
- Does the applicant's evidence demonstrate that the revised highway proposals overcome the Inspector's previous concerns, or do they principally reflect refinements to the internal layout?

Additional Research Queries

Parking and Layout

- Has the parking arrangement changed since the appeal?
- Has the proportion of frontage parking been reduced or redistributed?
- Does the revised layout continue to ensure that parking does not dominate the street scene?
- Has the relationship between parking, garages and landscaping changed?
- Has the applicant's supporting evidence identified any material changes to the overall parking strategy, or do the submitted documents indicate that the parking approach remains substantially unchanged?

Highway Layout

- What aspects of the highway layout were clarified during the application process?
- Which amendments resulted in the Highway Authority withdrawing its concerns?
- Did the Highway Authority assess only the internal highway layout, or did it also consider the operation of the existing access via Salesbury View?

- Is there evidence that the Highway Authority considered the implications of the steep approach road?
- Has the revised application altered the access arrangements in any material way?
- Is the Highway Authority's acceptance based primarily upon amendments to the internal estate road design, or does the submitted evidence demonstrate that the operation of the existing site access was also reconsidered?
- Does the submitted evidence clearly identify which amendments or clarifications influenced the Highway Authority's final consultation response, and are those changes reflected within the revised drawings?

General Observation

The Inspector distinguishes between two separate matters within this paragraph. Firstly, she concludes that the frontage parking associated with Plots 12–17 would not adversely affect the character of the development due to its limited extent, landscape treatment and position within the site. Secondly, she records that, following amendments and clarification during the application process, the Highway Authority raised no objection to the highway layout of the scheme.

The purpose of this review is therefore to establish whether the revised proposals have materially altered the parking arrangement or highway layout, whether the Highway Authority's position relates solely to the internal estate roads or also to the existing access via Salesbury View, and whether the applicant has objectively demonstrated that the revised proposals respond more successfully to the Inspector's previous findings.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has materially altered the proposed parking arrangements or highway layout following the dismissed appeal. Particular consideration has been given to whether the submitted evidence demonstrates changes to the internal road layout, frontage parking, garage arrangements and landscaping, together with the scope of the Highway Authority's assessment and the extent to which it considered the existing access via Salesbury View.

The review considers whether the applicant's supporting statements, transport evidence, consultation responses and amended drawings collectively demonstrate that the revised proposals provide a materially improved response to the Inspector's previous observations regarding parking layout and highway design.

Documents Reviewed

Primary Documents

- **67 / 68** – Amended Transport Assessment
- **91 / 92** – Highway Consultation Responses
- **50 / 55** – Amended Proposed Site Layout
- **75** – Committee Report

Secondary Documents

- **13 / 14** – Amended Design and Access Statement
- **87** – Explanation of Key Changes
- **119** – Planning Statement

Comparative Appeal Documents

- **241 / 242** – Appeal Proposed Site Layout
- **313** – Appeal Transport Assessment
- **309** – Previous Highway Response (where relevant)
- **246** – Appeal Decision

Assessment against Research Questions

Research Question	Evidence-based Finding
Has the parking arrangement changed since the appeal?	The revised scheme continues to use the same broad parking strategy as the appeal proposal: a mixture of frontage and side parking, integral garages and garages set behind the building line. The current Design and Access Statement continues to state that parking is prioritised within the curtilage, with front parking softened by landscaping, while the appeal documents relied upon essentially the same design approach. The revised layout includes local changes to plots and visitor parking provision, but the applicant's supporting documents do not identify a fundamental redesign of the overall parking strategy.
Has the proportion of frontage parking been reduced or redistributed?	The submitted documents do not provide a quantified comparison of frontage parking between the appeal and revised schemes. The current DAS maintains that parking has been arranged in several ways to avoid a car-dominated street scene, but neither the Planning Statement nor the Explanation of Key Changes identifies a material reduction in the proportion of frontage parking as a principal amendment. The evidence therefore supports continuity of the mixed parking approach, but does not objectively demonstrate a material reduction in frontage parking.
Does the revised layout continue to ensure that parking does not dominate the street scene?	The current DAS expressly claims that the streetscape is not car-dominated because parking is prioritised within the curtilage, garages are generally set behind the building line and frontage parking is softened by landscaping. The revised layout and Landscape Masterplan show parking distributed across the development with associated tree and hedge planting. This is consistent with the design approach previously found acceptable by the Inspector. No contrary evidence has been identified demonstrating that parking would now become more dominant; however, the evidence principally confirms retention of an approach already accepted at appeal rather than a new material improvement.
Has the relationship between parking, garages and landscaping changed?	The current documents show continued use of side parking, integral garages, detached or attached garages and frontage landscaping. Local revisions have occurred as plot arrangements, engineering information, visitor spaces and landscape proposals have evolved. However, the applicant continues to describe the same fundamental design principles: parking within the curtilage where possible, garages behind the building line and landscaping used to soften frontage parking. The relationship has therefore been refined in detail but not fundamentally redesigned.

Research Question

Has the applicant identified any material change to the overall parking strategy?

What aspects of the highway layout were clarified or amended during the previous application process?

Which amendments resulted in the Highway Authority withdrawing its previous concerns?

Did the current Highway Authority assessment consider only the internal layout, or also the operation of the existing access via Salesbury View?

Evidence-based Finding

No fundamental change is identified within the Planning Statement, DAS or Explanation of Key Changes. The applicant's Key Changes response confirms that **11 visitor spaces** were carried forward from the previous submission and dispersed around the site to encourage their use, with future monitoring by the resident-owned management company. This confirms continuity of an existing parking provision rather than a new strategy introduced in response to the appeal.

The previous highway response identifies a detailed sequence of internal-layout matters requiring amendment or clarification, including removal of carriageway build-outs, provision of traffic calming, removal of visitor bays from the adopted highway, pedestrian crossings, clarification of carriageway and footway gradients, parking shortfalls, cycle storage, bin stores, visibility and refuse-vehicle tracking. The applicant's response records that several of those changes were incorporated before the Highway Authority reached its no-objection position.

The evidence indicates that the previous concerns were resolved through a combination of internal highway amendments and additional information rather than one single change. These included maintaining a 5.5-metre carriageway, removing build-outs and visitor spaces from the prospective adopted highway, introducing speed-control measures and raised crossings, correcting plot parking provision, providing cycle and bin storage information, revising visibility-related planting and submitting tracking and gradient information. The Inspector's record of no objection therefore followed resolution of detailed internal-layout and adoptability matters.

The current Highway Authority assessment was not confined to the internal estate roads. It considered the proposed extension of Salesbury View, the Salesbury View/A666/Showley Brook Close junction, traffic generation and junction capacity, visibility splays, recorded wet-weather speeds on Whalley Road and off-site highway works. It concluded that the assessed junctions would operate within capacity and that the proposal would not have a significant impact on highway safety, capacity or amenity, subject to mitigation.

Research Question

Is there evidence that the Highway Authority considered the implications of the steep approach road?

Evidence-based Finding

The Highway Authority considered the physical characteristics of Salesbury View, the proposed site access, visibility and the operational capacity of its junction with the A666. However, no specific assessment has been identified of the approximately 1:12 gradient of the existing Salesbury View approach as a year-round operational constraint. The gradient requirements expressly discussed in the earlier highway correspondence relate principally to the internal estate carriageway and footways, for which a maximum carriageway gradient of 1:12 was accepted only over short sections. The evidence should therefore not be presented as showing that the existing steep approach was ignored altogether, but neither does it demonstrate a specific assessment of its steepness, winter resilience or operation during snow and ice.

Has the revised application altered the external access arrangements in any material way?

No. The Highway Authority expressly records that access remains an extension of Salesbury View and is “the same as previously proposed.” The requested off-site works also remain substantially the same as under application 3/2023/0614, except that the previously requested MOVA works were removed following updated traffic data. The revised scheme therefore relies upon the same sole vehicular access, with updated modelling and mitigation rather than a materially different access solution.

Is the Highway Authority’s acceptance based primarily on internal-road amendments, or was the external access also reconsidered?

Both elements were considered, but in different ways. The internal layout was reviewed for adoptability, footway provision, tracking and detailed estate-road design. The external access and surrounding network were reconsidered through updated 2025 traffic surveys, junction-capacity assessments, visibility evidence and wet-weather speed data on Whalley Road. The resulting no-objection position therefore extends beyond the internal road layout. However, because the access remains unchanged, the evidence demonstrates renewed assessment of the same access arrangement rather than resolution through a new or alternative access.

Research Question

Does the submitted evidence clearly identify the amendments or clarifications that influenced the current Highway Authority response?

Has the Highway Authority's requested 1.8-metre footway outside Plots 69–70 been resolved?

Does the Highway Authority's no-objection position demonstrate that all highway matters are fully resolved?

Evidence-based Finding

Only partly. The current Highway Authority response identifies updated traffic surveys, revised modelling, the removal of the previously requested MOVA works, the current off-site mitigation package and the need for a minimum 1.8-metre footway outside Plots 69–70. It also records that the updated December 2025 Transport Assessment and Travel Plan were otherwise unchanged apart from drawings in the appendices. The full evolution of the internal layout can be traced through the drawing revisions and previous highway correspondence, but the current response does not present a consolidated schedule explaining precisely which design changes were decisive in reaching the no-objection position.

The evidence reveals a potential inconsistency. The Highway Authority states that the footway should be increased to at least 1.8 metres and that the internal layout is adoptable subject to this amendment. The applicant's Explanation of Key Changes responds that the widening is unnecessary because the path serves only Plot 69, users can cross elsewhere and traffic speeds should be low within the cul-de-sac. Unless a later drawing demonstrably incorporates the requested width or the Highway Authority subsequently confirms acceptance of the applicant's alternative position, the submitted evidence does not clearly establish that this specific matter has been resolved.

No. The no-objection position is expressly subject to mitigation, conditions and further detailed submissions. The Committee Report recommends conditions requiring approval of the site access and off-site works, estate-road management, full engineering and drainage details, the PRow connection and completed parking areas. The absence of an objection therefore carries material weight, but should not be described as unconditional confirmation that every detailed highway matter has already been resolved.

Principal Question

Has the applicant objectively demonstrated that the revised parking arrangements and highway layout remain acceptable, and that the Highway Authority's current no-objection position addresses both the internal estate roads and the operation of the existing access via Salesbury View?

Evidence-based Answer

The submitted evidence demonstrates that the broad parking strategy remains consistent with the appeal scheme. The revised proposal continues to provide a mixture of frontage and side parking, integral and detached garages, and frontage planting intended to soften the appearance of parked vehicles. Neither the Planning Statement nor the Explanation of Key Changes identifies a fundamental redesign of the parking strategy, and no evidence has been identified indicating that parking would now dominate the street scene. The revised scheme therefore retains an arrangement which the Inspector previously found acceptable.

The Highway Authority's current assessment is not limited solely to the internal estate roads. It considers the extension of Salesbury View, visibility, traffic generation, junction capacity, vehicle tracking, wet-weather speed surveys and off-site highway works. Updated modelling concludes that the assessed junctions would operate within capacity and that the development would not result in an unacceptable effect on highway safety or a severe residual cumulative impact, subject to the identified mitigation and conditions.

However, the external access arrangement has not materially changed. The development continues to rely upon the same sole vehicular access via Salesbury View, and the Highway Authority describes the proposed access as the same as previously proposed. The current evidence therefore represents an updated assessment of the existing access solution rather than the provision of a materially improved or alternative arrangement.

Furthermore, although the physical characteristics and junction operation of Salesbury View have been considered, no specific assessment has been identified demonstrating how its steep approach would operate during snow or ice, or whether year-round resilience and contingency arrangements have been examined. The submitted highway evidence should therefore not be characterised as ignoring Salesbury View, but nor does it demonstrate that all practical implications of the steep sole access have been assessed.

The Highway Authority's no-objection position also remains conditional. In particular, it requested that the footway outside Plots 69–70 be increased to at least 1.8 metres, while the applicant's Key Changes response states that this amendment is not considered necessary. Unless a later drawing or consultation response confirms resolution, the evidence does not establish that this detailed matter has been agreed.

Evidence-based Conclusion

The applicant has demonstrated that the revised proposal retains a mixed parking arrangement which is unlikely to dominate the street scene and remains consistent with the design approach previously accepted by the Inspector. The evidence does not identify a material deterioration in the relationship between parking, garages, frontage landscaping and the wider layout.

The applicant has also secured a current no-objection position from the Highway Authority following consideration of both the internal estate roads and the operation of the surrounding highway network. Updated traffic surveys, capacity modelling, visibility evidence and off-site mitigation provide objective highway evidence in support of the proposal.

Nevertheless, that position must be accurately qualified. The external access remains materially unchanged and continues to rely upon the same sole route via Salesbury View. The evidence does not include a specific assessment of winter operation, resilience or contingency in the event that the steep access becomes difficult or impassable. In addition, the Highway Authority's acceptance is subject to conditions, mitigation and unresolved detailed matters, including the requested footway width outside Plots 69–70.

Accordingly, the submitted evidence supports the acceptability of the broad parking strategy and provides an updated technical basis for the Highway Authority's no-objection position. It does not, however, demonstrate that every detailed highway matter has been resolved or that the wider operational implications of the steep sole access have been comprehensively assessed.

Outcome - Partially Demonstrated

The parking and internal highway-layout elements are supported by the submitted evidence and remain broadly consistent with matters previously found acceptable by the Inspector. However, the access arrangement itself has not materially changed, the Highway Authority's position remains conditional, and the evidence does not demonstrate that the year-round resilience of the steep sole access via Salesbury View has been assessed.

Paragraph 15

Inspector's Point

15. Although separation distances between dwellings in the northern part of the site would be less generous than properties off Whalley Road to the west, they would be comparable to those between dwellings on Hollowhead Avenue and Beaver Close to the north. The linear form of development in this area also respects the contours of the site as is similarly the case along Hollowhead Avenue and Beaver Close, as well as the linear alignment of Whalley Road and the railway to the west of the site which run in a north/south direction. I saw other linear residential development at my site visit on the facing valley hillside at Paris, Waverley Road and Isle of Man. The proposed arrangement is therefore not uncommon in the area.

Summary

The Inspector accepts that separation distances in the northern part of the site would be less generous than some neighbouring properties but concludes that they are comparable to other nearby residential development. She finds that the proposed linear form of development reflects the site's contours and is consistent with the prevailing pattern of development in the surrounding area.

Initial Thoughts

- The Inspector concludes that the proposed layout reflects the established pattern of development in the locality.
- Has the revised proposal altered the spacing or arrangement of dwellings within the northern part of the site?
- Does the revised layout continue to respond appropriately to the site's contours?
- Have any changes affected the relationship between the proposed dwellings and neighbouring properties?
- Is the comparison with surrounding development still supported by the revised proposals and submitted evidence?

Additional Research Questions

Layout and Character

- Has the spacing between dwellings materially changed since the appeal?
- Does the revised layout retain the linear form identified by the Inspector?
- Does the revised proposal continue to reflect the surrounding pattern of development?
- Have any amendments altered the relationship between the proposed development and neighbouring properties?

Topography

- Does the revised layout continue to work with the site's natural contours?
- Have engineering works, retaining structures or level changes altered the relationship between the proposed layout and the landform?
- Has the applicant demonstrated that any changes to levels remain compatible with the surrounding character?

Local Context

- Have any amendments affected the Inspector's comparison with Hollowhead Avenue, Beaver Close, Whalley Road and the surrounding valley-side development?
- Does the submitted evidence demonstrate that the revised proposal remains consistent with the established character of the area?

Comparative Assessment

- Have the revisions introduced any changes that would undermine the Inspector's previous conclusion that the proposed layout is comparable to other established development within the locality?

General Observation

The Inspector concluded that the proposed spacing, linear arrangement and relationship of the northern part of the layout reflected the established pattern of development within the locality and responded appropriately to the site's topography. This formed part of the Inspector's overall assessment that, in principle, the layout of this part of the site was not uncommon within its wider context. The review therefore seeks to establish whether the revised proposal has materially altered those characteristics or whether the submitted evidence continues to support the Inspector's previous conclusions regarding the layout, settlement pattern and relationship with the surrounding area.

Review of Submitted Evidence

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 15

The amended Proposed Site Layouts provide the principal evidence of the spacing, arrangement and linear form of development within the northern part of the site. Comparison with the appeal layouts (Documents 241 and 242) provides evidence of whether the revised proposal has materially altered the relationship between dwellings, the alignment of development along the hillside or the overall pattern previously considered by the Inspector.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 15

The Design and Access Statement explains the applicant's design rationale for the revised layout, including its response to the site's topography and the character of surrounding development. It provides evidence of how the applicant considers the proposal relates to the settlement pattern and should be assessed alongside the current and appeal layouts to determine whether those assertions are reflected in the submitted scheme.

Document 119 – Planning Statement
Relevant to Paragraph 15

The Planning Statement sets out the applicant’s planning case for the revised development and its response to the dismissed appeal. It provides evidence of whether the applicant relies upon changes to the spacing, arrangement or form of development as improving the relationship with the surrounding locality, and whether those claimed changes are supported by the submitted drawings.

Document 87 – Explanation of Key Changes
Relevant to Paragraph 15

The Explanation of Key Changes identifies amendments made to the proposal following the dismissed appeal. It provides evidence of whether the northern layout has been materially altered and whether any revisions to plot arrangement, house types, levels or associated engineering works affect the basis of the Inspector’s previous comparison with surrounding development.

Documents 18–22 – Amended External Works Sheets 1–5
Relevant to Paragraph 15

The amended External Works Sheets illustrate the proposed finished levels, gradients, retaining structures and engineering treatment of the landform. They provide evidence of whether the revised arrangement continues to follow the site’s contours or whether engineering works materially alter the relationship between the proposed development and the natural topography.

Document 24 – Amended Landscape Masterplan
Relevant to Paragraph 15

The amended Landscape Masterplan illustrates the relationship between the proposed dwellings, landscape buffers, retained vegetation and the wider hillside setting. It provides evidence of whether the linear form of development remains integrated with the landscape framework and whether the revised scheme continues to reflect the transition between existing development and the surrounding countryside.

Secondary Documents

Documents 27/28 – Amended Landscape and Visual Impact Assessment

The amended Landscape and Visual Impact Assessment considers the relationship between the revised development, the hillside landform and the surrounding settlement. It provides evidence of how the applicant assesses the revised layout within its local context and whether the proposal remains comparable with other valley-side development.

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised layout, including its relationship with the site's topography, neighbouring development and surrounding character. It provides evidence of whether officers consider the revised proposal to remain consistent with the pattern of development previously identified by the Inspector.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has materially reduced or otherwise justified the significant earthworks and extensive retaining structures identified by the Inspector as necessary to facilitate development on the site following the dismissed appeal. Particular consideration has been given to whether changes to the proposed layout, finished levels, retaining structures, engineering works and landscape framework demonstrate a more successful response to the site's topography and geology.

The review considers whether the applicant's supporting statements, engineering drawings, landscape evidence and amended proposals collectively demonstrate that the revised development requires less intervention in the existing landform or whether significant earthworks, retaining structures and engineered level changes remain fundamental to delivering the proposed layout. It also considers whether the revised engineering strategy has been sufficiently evidenced to demonstrate that the Inspector's previous concerns have been materially addressed, rather than simply more fully illustrated.

Documents Reviewed

Primary Documents

- **56–58** – Amended Proposed Site Sections
- **61/62** – Amended Retaining Wall Sections
- **65/66** – Amended Schematic Finished Levels
- **50/55** – Amended Proposed Site Layout

Secondary Documents

- **13/14** – Amended Design and Access Statement
- **119** – Planning Statement
- **87** – Explanation of Key Changes

- **24** – Amended Landscape Masterplan
- **27/28** – Amended Landscape and Visual Impact Assessment
- **75** – Committee Report

Comparative Appeal Documents

- **241/242** – Appeal Proposed Site Layout
- **250** – Appeal Statement of Case – Design
- **251** – Appeal Statement of Case – Landscape
- **246** – Appeal Decision

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has materially altered the spacing, arrangement and linear form of development within the northern part of the site following the dismissed appeal. Particular consideration has been given to whether changes to the plot layout, house types, finished levels, retaining structures and landscape framework affect the relationship between the proposed dwellings, the site's contours and neighbouring development.

The review considers whether the applicant's supporting statements, engineering information, landscape evidence and amended drawings collectively demonstrate that the revised proposal remains comparable with the pattern of development identified by the Inspector at Hollowhead Avenue, Beaver Close, Whalley Road and elsewhere on the surrounding valley sides, or whether the revisions undermine the basis of that previous conclusion.

Documents Reviewed

Primary Documents

- 50/55 – Amended Proposed Site Layout
- 13/14 – Amended Design and Access Statement
- 18–22 – Amended External Works Sheets 1–5
- 24 – Amended Landscape Masterplan

Secondary Documents

- 119 – Planning Statement
- 87 – Explanation of Key Changes
- 27/28 – Amended Landscape and Visual Impact Assessment
- 75 – Committee Report

Comparative Appeal Documents

- 241/242 – Appeal Proposed Site Layout
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape
- 246 – Appeal Decision

Assessment against Research Questions

Research Question

Has the spacing between dwellings materially changed since the appeal?

Evidence-based Answer

The revised proposal materially reconfigures parts of the layout, including the western area formerly occupied by Plots 7 and 8 and the group formerly numbered Plots 10–29. The Planning Statement records that Plots 7 and 8 have been rotated, Plots 3–8 pulled farther from the western site boundary, Plot 9 relocated and the adjoining group of dwellings reconfigured. However, no evidence has been identified demonstrating a material reduction in the spacing between proposed dwellings within the principal northern linear development. The revisions appear directed primarily towards creating larger perimeter buffers and a more organic road and block arrangement rather than increasing development intensity.

Research Question

Evidence-based Answer

Does the revised layout retain the linear form identified by the Inspector?

Yes. The amended layout retains development arranged broadly along the northern access road and continues to follow a predominantly north–south alignment. The applicant describes the revised northern arrangement as a more organic road and block structure, but it remains recognisably linear in overall form. The revised proposal therefore retains the principal characteristic identified by the Inspector, although the alignment has been softened rather than fundamentally changed.

Does the revised proposal continue to reflect the surrounding pattern of development?

The submitted evidence continues to rely upon comparisons with nearby development arranged along the valley sides and in response to the local landform. The revised northern layout remains composed principally of split-level housing arranged along the hillside, and no evidence has been identified demonstrating that the amendments make its broad form less comparable with the linear development identified by the Inspector. However, this finding relates to the general pattern and orientation of development only. It does not establish that the detailed engineering response, retaining structures or boundary relationships are comparable with those surrounding examples.

Have any amendments altered the relationship between the proposed development and neighbouring properties?

Yes. The relationship with properties adjoining the western boundary has been altered. The applicant states that the rotation of Plots 7 and 8 and repositioning of Plots 3–8 increase the distance between the rear garden boundaries of those plots and the site boundary from approximately 4.3 metres to approximately 10 metres. The amended landscape buffer is also described as approximately 10 metres wide. This represents a material improvement in separation at that particular location. The wider implications of levels, retaining structures and overlooking require separate assessment under the Inspector’s subsequent findings.

Does the revised layout continue to work with the site’s natural contours?

At the broad masterplanning level, the revised layout continues to follow the general alignment of the hillside and retains split-level dwellings within the northern section. The applicant describes these dwellings as maximising and utilising the site’s topography. Nevertheless, the External Works drawings demonstrate that this relationship continues to depend upon engineered finished levels, split-level gardens and retaining structures. The layout therefore follows the broad direction of the contours, but this should not be equated with the development being accommodated by the natural landform without substantial intervention.

Research Question

Have engineering works, retaining structures or level changes altered the relationship between the proposed layout and the landform?

Has the applicant demonstrated that any changes to levels remain compatible with the surrounding character?

Have any amendments affected the Inspector's comparison with Hollowhead Avenue, Beaver Close, Whalley Road and the surrounding valley-side development?

Evidence-based Answer

Yes. The amended External Works drawings and revisions recorded on the site layout demonstrate continuing changes to levels, retaining-wall positions, patios, steps and garden gradients. The Explanation of Key Changes also confirms that retaining walls have been added or amended to achieve revised garden gradients. These works affect the detailed relationship between the dwellings and the landform, even though the broad linear alignment remains. Whether those changes improve or worsen the engineering response cannot be determined from Paragraph 15 alone and is directly relevant to Paragraphs 16–25.

The applicant asserts that the revised proposal responds to the sloping topography and reflects the local pattern of split-level and valley-side development. The Committee Report accepts the layout and design overall. However, no standalone comparative assessment has been identified which measures the revised retaining structures, engineered platforms or level differences against the physical characteristics of Hollowhead Avenue, Beaver Close, Whalley Road, Paris, Waverley Road or Isle of Man. Compatibility is therefore demonstrated at the level of general urban form, but not fully demonstrated in relation to the detailed engineering treatment of the landform.

The revised layout remains broadly linear, follows a north–south hillside alignment and retains split-level development. These characteristics continue to support the Inspector's broad comparison. The amendment to create a more organic northern road and block structure does not appear to undermine that comparison. Nevertheless, the applicant's revised evidence does not provide a detailed like-for-like comparison of plot spacing, finished levels, retaining-wall heights, setbacks or landscape treatment between the proposal and each of the developments identified by the Inspector.

Research Question

Does the submitted evidence demonstrate that the revised proposal remains consistent with the established character of the area?

Have the revisions introduced any changes that would undermine the Inspector's previous conclusion that the proposed layout is comparable to other established development within the locality?

Evidence-based Answer

The evidence supports the narrower conclusion that linear and split-level development on a valley side is not uncommon locally. It does not establish that every aspect of the revised proposal is consistent with local character. In particular, the need for extensive engineering works and retaining structures remains a separate and potentially distinguishing characteristic. The Inspector herself separated the broad acceptability of the linear arrangement in Paragraph 15 from the concerns about changes to landform beginning at Paragraph 16.

No evidence has been identified demonstrating that the revisions undermine the Inspector's conclusion at the broad level addressed by Paragraph 15. The northern layout remains generally linear, aligned with the hillside and composed of split-level development. Some relationships have been improved through increased perimeter separation and a softened road and block arrangement. However, retaining the broad local comparison does not resolve the separate question of whether the engineered landform, retaining structures and detailed boundary relationships are acceptable.

Principal Question

Has the applicant demonstrated that the revised layout retains the broad spacing, linear form and relationship with the local pattern of valley-side development that the Inspector previously found acceptable, without introducing changes that undermine that conclusion?

Evidence-based Answer

The comparative review demonstrates that the revised proposal retains the principal characteristics considered by the Inspector in Paragraph 15. Development within the northern section remains arranged broadly along a north-south access road, continues to follow the general direction of the hillside and retains the use of split-level dwellings. Although the applicant describes the revised northern road and block structure as more organic, the overall arrangement remains recognisably linear.

Material amendments have nevertheless been made. Most notably, Plots 7 and 8 have been rotated, Plots 3–8 have been pulled farther from the western site boundary, Plot 9 has been relocated and the adjoining group of dwellings has been reconfigured. The applicant states that these changes increase the separation between the rear gardens of Plots 3–8 and the site boundary from approximately 4.3 metres to approximately 10 metres.

The proposal also introduces a wider western landscape buffer. These changes appear to improve the relationship with the adjoining boundary rather than undermine the Inspector’s previous broad comparison with surrounding development. No evidence has been identified demonstrating that the revised scheme has materially increased the intensity of development within the northern linear section or rendered its general arrangement uncharacteristic of the locality. The Inspector’s conclusion that linear, hillside development is not uncommon therefore remains applicable at the broad urban-design level addressed in Paragraph 15.

However, the revised application continues to rely upon significant engineering works, retaining structures, adjusted finished levels, steps and split-level gardens. The applicant’s evidence does not provide a detailed like-for-like comparison between those physical features and the developments at Hollowhead Avenue, Beaver Close, Whalley Road or the opposing valley side. Consequently, the evidence supports the Inspector’s general comparison of settlement form but does not demonstrate that the detailed relationship between built development and the landform is equivalent to those local examples. That distinction is important. Paragraph 15 concerns the broad spacing and linear pattern of development, which the Inspector accepted. Paragraph 16 then expressly distinguishes the Council’s concern about the significant changes to landform required to achieve that layout. The continuing engineering implications should therefore be assessed under Paragraphs 16 onwards and should not be treated as resolved merely because the general linear arrangement remains locally comparable.

Evidence-based Conclusion

The revised application has not introduced any change that objectively undermines the Inspector’s previous conclusion that the broad linear arrangement of development within the northern part of the site is not uncommon in the locality. The amended proposal retains a predominantly north–south, hillside alignment and continues to use split-level dwellings. Amendments to the western part of the layout increase separation from the site boundary and create a less rigid arrangement, representing a genuine improvement in that particular relationship.

Accordingly, the evidence supports the continued application of the Inspector’s favourable finding in Paragraph 15 in relation to the general spacing, orientation and pattern of development. This conclusion must nevertheless be narrowly expressed. The fact that the broad layout remains comparable with surrounding linear development does not demonstrate that the means by which it is accommodated on the site are acceptable. The revised scheme continues to rely upon engineered level changes and retaining structures, and no detailed comparative evidence has been identified demonstrating that those features replicate the more assimilated relationships found within the surrounding area. The Inspector’s broad finding at Paragraph 15 therefore remains valid, but it does not overcome or predetermine the separate concerns relating to landform, retaining structures and visual effects considered in Paragraphs 16–25.

Outcome – Previous acceptable finding retained

Reason: The revised northern layout remains broadly linear, follows the general hillside alignment and continues to be comparable in overall form with established valley-side development. Material amendments have improved separation at the western boundary and have not been shown to undermine the Inspector's favourable conclusion.

Paragraph 16

Inspector's Point

16. The Council's concerns relating to the northern part of the site centre around the significant changes to landform. It is inevitable, due to the topography and geology of the site, that in order to achieve the proposed layout, significant earthworks and extensive retaining structures would be required.

Summary

The Inspector identifies the Council's principal concern regarding the northern part of the site, namely that the site's topography and geology require significant earthworks and extensive retaining structures to deliver the proposed layout.

Initial Thoughts

- The Inspector accepts that significant engineering works are an inevitable consequence of developing the site given the it's topography and geology.
- The requirement for extensive earthworks and retaining structures is a fundamental constraint of the site.
- The revised proposal does not appear to reduce these engineering requirements and may increase them.
- It may therefore be necessary to establish whether the revised scheme has addressed, or further intensified, the Council's original concerns regarding landform.
- Do the revised drawings demonstrate a reduction in engineering works, or do they indicate greater intervention than the appeal scheme?

Additional Research Questions

Landform and Engineering Works

- Have the proposed earthworks increased or decreased since the appeal?
- Have the extent, height or distribution of retaining structures changed?
- Have cut and fill operations been reduced?
- Do the revised proposals require additional engineering interventions?

Topography

- Does the revised layout respond more successfully to the site's topography?
- Has the applicant demonstrated that the revised landform can be accommodated without unacceptable visual effects?
- Have the revised finished levels altered the relationship between the development and surrounding land?

Evidence

- What changes have been made to the engineering strategy since the appeal?
- Do the revised drawings demonstrate a reduction in engineering works, or do they indicate that further intervention is required?
- Does the applicant explain why any increase in engineering works is necessary?

Likely Documents

Primary Documents

- **56–58** – Amended Proposed Site Sections
- **61/62** – Amended Retaining Wall Sections
- **65/66** – Schematic Finished Levels
- **50/55** – Amended Proposed Site Layout

Secondary Documents

- **13/14** – Amended Design & Access Statement
- **24** – Amended Landscape Masterplan
- **87** – Explanation of Key Changes
- **75** – Committee Report

General Observation

The Inspector regarded significant earthworks and extensive retaining structures as an inevitable consequence of imposing the proposed layout upon the site's steep topography and geology. Paragraph 16 does not, in itself, conclude that such engineering works are unacceptable; rather, it identifies the fundamental physical constraint that underpins the more detailed concerns considered in the following paragraphs. The relevant question for the revised application is therefore not simply whether earthworks and retaining structures remain necessary, but whether their extent, height, distribution and resulting relationship with the landform have been materially reduced or more successfully resolved.

The revised evidence should demonstrate clearly how the proposed finished levels compare with existing ground levels and with the appeal scheme. Where additional retaining structures or revised engineering interventions have been introduced, the applicant should explain whether these represent an improvement in the treatment of the landform or merely facilitate the revised layout by transferring or intensifying the engineering works elsewhere. In the absence of a comparative earthworks assessment or quantified cut-and-fill information, it may not be possible to establish objectively whether the revised scheme reduces the degree of intervention identified by the Inspector.

Review of Submitted Evidence

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 16

The amended Proposed Site Sections provide the principal evidence of the relationship between the proposed development, the existing landform and the engineered finished levels. Comparison with the appeal sections provides evidence of whether the revised proposals materially reduce the extent of earthworks, cut and fill operations or the need for engineered platforms and whether the revised layout responds more successfully to the site's topography.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 16

The amended Retaining Wall Sections provide detailed evidence of the type, location and extent of the retaining structures required to facilitate the proposed development. They enable comparison with the appeal proposals to establish whether the revised engineering strategy reduces the scale of retaining structures or whether substantial engineered intervention remains necessary to accommodate the development.

Documents 65/66 – Amended Schematic Finished Levels

Relevant to Paragraph 16

The amended Schematic Finished Levels illustrate the relationship between existing and proposed levels across the site together with the distribution of retaining walls, underbuilds, steps and engineered level changes. They provide evidence of whether the revised proposal reduces the degree of intervention required to accommodate development on the sloping site or whether significant engineering works continue to form an integral part of the scheme.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 16

The amended Proposed Site Layouts provide the spatial context for the engineering works illustrated on the accompanying sections and level drawings. They provide evidence of how the proposed layout has been amended in response to the appeal decision and whether those amendments reduce or redistribute the engineering interventions required to deliver the development.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 16

The Design and Access Statement explains the applicant's design approach to the site's challenging topography and the measures adopted to accommodate development across the hillside. It provides evidence of how the applicant considers the revised engineering strategy responds to the site's physical constraints and should be assessed alongside the engineering drawings to determine whether those objectives have been achieved.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 16

The Explanation of Key Changes identifies amendments made following the dismissed appeal, including revisions to levels, retaining structures, garden gradients and engineering works. It provides evidence of whether the applicant considers the revised engineering strategy to address the Inspector's previous concerns and should be compared with the amended engineering drawings to determine whether those changes materially reduce the degree of intervention required.

Document 119 – Planning Statement

Relevant to Paragraph 16

The Planning Statement sets out the applicant's planning justification for the revised proposals and explains how the amendments are intended to respond to the dismissed appeal. It provides evidence of whether the revised engineering works are presented as improvements to the relationship between the development and the site's topography and whether those claims are supported by the submitted technical information.

Secondary Documents

Document 24 – Amended Landscape Masterplan

The amended Landscape Masterplan illustrates the proposed relationship between the engineered landform, structural landscaping and the wider landscape framework. It provides evidence of whether landscape proposals are intended to mitigate the visual effects of the required earthworks and retaining structures.

Documents 27/28 – Amended Landscape and Visual Impact Assessment

The amended Landscape and Visual Impact Assessment considers the landscape and visual effects arising from the revised engineering works and associated changes to landform. It provides evidence of whether the applicant considers the revised proposals to reduce the visual effects previously identified by the Inspector.

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised engineering strategy, including the proposed earthworks, retaining structures and relationship with the site's topography. It provides evidence of whether officers consider the revised proposals to satisfactorily address the Inspector's previous concerns regarding the extent of engineering intervention.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has materially reduced or otherwise justified the significant earthworks and extensive retaining structures identified by the Inspector as necessary to facilitate development on the site following the dismissed appeal. Particular consideration has been given to whether changes to the proposed layout, finished levels, retaining structures, engineering works and landscape framework demonstrate a more successful response to the site's topography and geology.

The review considers whether the applicant's supporting statements, engineering drawings, landscape evidence and amended proposals collectively demonstrate that the revised development requires less intervention in the existing landform or whether significant earthworks, retaining structures and engineered level changes remain fundamental to delivering the proposed layout. It also considers whether the revised engineering strategy has been sufficiently evidenced to demonstrate that the Inspector's previous concerns have been materially addressed, rather than simply more fully illustrated.

Documents Reviewed

Primary Documents

- **56–58** – Amended Proposed Site Sections
- **61/62** – Amended Retaining Wall Sections
- **65/66** – Amended Schematic Finished Levels
- **50/55** – Amended Proposed Site Layout

Secondary Documents

- **13/14** – Amended Design and Access Statement
- **119** – Planning Statement
- **87** – Explanation of Key Changes
- **24** – Amended Landscape Masterplan
- **27/28** – Amended Landscape and Visual Impact Assessment
- **75** – Committee Report

Comparative Appeal Documents

- **241/242** – Appeal Proposed Site Layout
- **250** – Appeal Statement of Case – Design
- **251** – Appeal Statement of Case – Landscape
- **246** – Appeal Decision

Assessment against Research Questions

Research Question	Evidence-based Answer
Have the proposed earthworks increased or decreased since the appeal?	The revised application provides substantially more detailed engineering information than the appeal scheme, including amended site sections, retaining wall sections and schematic finished levels. However, no evidence has been identified demonstrating that the overall requirement for significant earthworks has been materially reduced. The revised drawings continue to show substantial regrading of the site to accommodate the proposed development.
Have the extent, height or distribution of retaining structures changed?	Yes. The location and configuration of retaining structures have been amended as part of the revised engineering strategy. The Schematic Finished Levels and Retaining Wall Sections demonstrate changes to the distribution and detailing of retaining walls throughout the site. However, no evidence has been identified demonstrating that the overall reliance upon retaining structures has been materially reduced. Instead, the engineering strategy appears to have been refined and more fully resolved.
Have cut and fill operations been reduced?	No quantified comparison of cut-and-fill volumes has been identified within the submitted evidence. Whilst the revised engineering drawings provide greater detail regarding finished levels and site engineering, no evidence has been identified demonstrating that the extent of earthworks has been materially reduced when compared with the appeal proposal.
Do the revised proposals require additional engineering interventions?	The revised drawings continue to rely upon engineered platforms, retaining structures, stepped gardens, underbuilds and level transitions throughout the development. Whilst some engineering details have been amended, the submitted evidence indicates that significant engineering intervention remains fundamental to delivering the proposed layout.

Research Question

Evidence-based Answer

Does the revised layout respond more successfully to the site's topography?

The applicant has refined the engineering strategy and provided significantly more detailed technical information illustrating how the development is intended to respond to the site's topography. However, the revised drawings continue to demonstrate that the layout is achieved through substantial modification of the existing landform rather than by materially reducing the engineering intervention required.

Has the applicant demonstrated that the revised landform can be accommodated without unacceptable visual effects?

The applicant has submitted revised landscape proposals and engineering drawings intended to mitigate the visual effects of the engineering works. However, Paragraph 16 establishes only the inevitability of those works. Whether the resulting visual effects are acceptable is considered in the Inspector's subsequent findings and cannot be concluded from this paragraph alone.

Have the revised finished levels altered the relationship between the development and surrounding land?

Yes. The amended Finished Levels drawings demonstrate revisions to proposed levels, retaining walls and engineering arrangements across the site. These changes alter the detailed engineering relationship between the proposed development and the existing landform. However, no evidence has been identified demonstrating that these revisions materially reduce the extent of engineering intervention required.

What changes have been made to the engineering strategy since the appeal?

The revised application introduces amended retaining wall arrangements, revised finished levels, alterations to garden gradients, updated engineering details and additional technical drawings. These changes provide a more comprehensive engineering solution than was available at appeal but do not, in themselves, demonstrate a reduction in the overall engineering required to deliver the development.

Do the revised drawings demonstrate a reduction in engineering works, or do they indicate that further intervention is required?

The revised drawings primarily demonstrate a more detailed engineering solution rather than a materially reduced engineering solution. Significant retaining structures, level changes and earthworks remain integral components of the proposed development.

Does the applicant explain why any increase in engineering works is necessary?

The submitted documents explain that revisions to retaining structures, finished levels and garden gradients have been made to accommodate the site's topography and to achieve compliant gradients and development platforms. However, whilst the applicant explains the engineering rationale, no evidence has been identified demonstrating that the revised proposal materially reduces the fundamental engineering intervention identified by the Inspector as an inevitable consequence of developing the site.

Principal Question

Has the applicant demonstrated that the revised proposal responds more successfully to the site's topography and geology by materially reducing, or otherwise justifying, the extent of earthworks and retaining structures required to deliver the development?

Evidence-based Answer

The revised application provides substantially more detailed engineering information than was available at the time of the appeal. The amended Site Sections, Retaining Wall Sections, Schematic Finished Levels and External Works drawings demonstrate a more comprehensive engineering strategy for accommodating development across the site's steeply sloping landform. The applicant has also revised finished levels, retaining structures, garden gradients and aspects of the site layout in response to the dismissed appeal.

However, whilst the engineering information has been significantly expanded and refined, no evidence has been identified demonstrating that the fundamental requirement for significant earthworks and extensive retaining structures has been materially reduced. The revised drawings continue to illustrate that substantial engineering intervention remains necessary to create development platforms, accommodate changes in level and facilitate the proposed layout across the site.

The Planning Statement, Design and Access Statement and Explanation of Key Changes explain why revisions to the engineering strategy have been made and how they are intended to respond to the site's physical constraints. Those documents provide a clearer justification for the proposed engineering works than was available at appeal. Nevertheless, the evidence demonstrates refinement of the engineering solution rather than a fundamental reduction in the extent of intervention required to accommodate development on the site.

Accordingly, the revised application demonstrates a more detailed and better-evidenced engineering strategy, but no evidence has been identified demonstrating that the significant engineering intervention identified by the Inspector as an inevitable consequence of developing the site has been materially reduced.

Evidence-based Conclusion

The Inspector identified the site's topography and geology as fundamental constraints requiring significant earthworks and extensive retaining structures to facilitate the proposed development. The revised application accepts that those constraints remain and responds by providing a considerably more detailed engineering solution supported by additional technical drawings and revised level information.

Whilst the engineering strategy has been refined, the submitted evidence does not demonstrate that the overall requirement for significant earthworks or extensive retaining structures has been materially reduced. Rather, the revised application provides greater detail regarding how those engineering works are intended to be implemented.

Paragraph 16 should therefore continue to be read as establishing the underlying engineering context for the development. The revised application provides a more comprehensive explanation of the engineering response, but it does not, of itself, demonstrate that the fundamental engineering intervention identified by the Inspector has been overcome. Whether the consequences of those engineering works are acceptable remains the subject of the Inspector's subsequent findings.

Outcome: Partially Addressed

Reason: The applicant has materially improved the evidence supporting the engineering strategy by submitting comprehensive sections, finished level drawings, retaining wall details and revised engineering information. However, no evidence has been identified demonstrating that the significant earthworks and extensive retaining structures identified by the Inspector as an inevitable consequence of developing the site have been materially reduced. The revised application therefore provides a more detailed engineering solution rather than demonstrating that the underlying engineering constraint has been overcome.

Paragraph 17

Inspector's Point

17. Consequently, the approach across the scheme would be to address levels within individual parcels in different ways, and in the northern area, split-level dwellings and gardens, along with landscaping where level changes would otherwise be particularly apparent. The appellant's evidence indicates that dwellings to the east of the northern access road would generally include a retaining structure along the rear garden boundary. Gardens to the west of the access road would be tiered and would incorporate, for the most-part, a retaining feature between the upper and lower gardens and between the lower garden and adjacent land.

Summary

The Inspector describes how the proposed development responds to the site's topography through split-level dwellings, tiered gardens, landscaping and retaining structures. She notes that retaining walls would form a key component of the engineering strategy throughout the northern part of the site.

Initial Thoughts

I would amend them to:

- The Inspector identifies retaining structures, split-level dwellings and tiered gardens as fundamental components of the proposed engineering strategy rather than isolated design features.
- The revised proposal continues to rely extensively on split-level development, engineered gardens and retaining structures to accommodate the site's topography.
- Has the revised engineering strategy materially reduced the reliance on retaining walls, split-level dwellings and tiered gardens, or has it principally refined their design and arrangement?
- Have amendments altered the height, location, extent or visual prominence of the retaining structures?
- Does the revised proposal demonstrate improved integration of retaining structures and engineered landform within the landscape framework?

General Observation

The Inspector recognised that the proposed development did not respond to the site's topography through a single engineering solution, but by adopting a range of measures across individual development parcels. Split-level dwellings, tiered gardens, retaining structures and structural landscaping formed integral components of the overall design strategy, particularly within the northern part of the site. Paragraph 17 therefore moves beyond the general principle established in Paragraph 16 and considers the manner in which the engineering response is implemented across the development.

The revised application should therefore demonstrate not only whether the engineering strategy has been amended, but whether the revised combination of retaining structures, engineered gardens, split-level dwellings and landscaping provides a materially more successful response to the site's topography. Where these engineering measures remain fundamental to delivering the proposed layout, the submitted evidence should demonstrate that they have been refined in a way which materially reduces their visual and physical impact or otherwise justifies their continued use.

Review of Submitted Evidence

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 17

The amended Proposed Site Sections provide the principal evidence of how the revised development responds to the site's topography through split-level dwellings, engineered development platforms, tiered gardens and associated retaining structures. Comparison with the appeal proposals provides evidence of whether the revised engineering strategy materially alters the relationship between the proposed development, the existing landform and surrounding ground levels.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 17

The amended Retaining Wall Sections provide detailed evidence of the type, height, location and construction of the retaining structures required throughout the development. They enable assessment of whether the revised proposal has reduced the reliance upon retaining walls or whether the engineering strategy continues to depend upon substantial retaining structures to accommodate the site's topography.

Documents 65/66 – Amended Schematic Finished Levels

Relevant to Paragraph 17

The amended Schematic Finished Levels illustrate the relationship between existing and proposed levels, together with the distribution of retaining walls, underbuilds, steps, split-level gardens and engineered level transitions across the site. They provide evidence of how the revised engineering strategy has been implemented and whether the extent of engineering intervention has been materially altered since the appeal.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 17

The amended Proposed Site Layouts provide the spatial context for the revised engineering strategy, illustrating the arrangement of split-level dwellings, gardens, retaining structures and landscaped areas throughout the northern part of the site. They provide evidence of whether amendments to the layout reduce or redistribute the engineering interventions necessary to accommodate development on the sloping landform.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 17

The Design and Access Statement explains the design rationale underpinning the revised engineering approach, including the use of split-level dwellings, tiered gardens, retaining structures and structural landscaping in response to the site's challenging topography. It provides evidence of how the applicant considers these measures integrate with the surrounding landscape and whether they represent an improved response to the Inspector's previous findings.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 17

The Explanation of Key Changes identifies amendments made following the dismissed appeal, including revisions to retaining structures, garden gradients, finished levels and engineering works. It provides evidence of whether the applicant considers these revisions to represent improvements to the overall engineering strategy and should be assessed alongside the amended engineering drawings to determine whether they materially reduce the reliance upon engineered landform.

Document 119 – Planning Statement

Relevant to Paragraph 17

The Planning Statement sets out the applicant's planning justification for the revised engineering strategy and explains how the amended proposals are intended to respond to the Inspector's concerns regarding the site's topography. It provides evidence of whether the revised approach is presented as reducing the visual and physical impact of engineering works and whether those assertions are supported by the submitted technical information.

Secondary Documents

Document 24 – Amended Landscape Masterplan

The amended Landscape Masterplan illustrates the relationship between retaining structures, engineered landform and the proposed structural landscaping. It provides evidence of whether the revised landscape framework is intended to integrate engineering works more successfully into the surrounding landscape and soften the visual effects of level changes.

Documents 27/28 – Amended Landscape and Visual Impact Assessment

The amended Landscape and Visual Impact Assessment considers the landscape and visual effects arising from the revised engineering strategy, including split-level development, retaining structures and engineered landform. It provides evidence of whether the applicant considers the revised proposals to reduce the prominence of these engineering interventions within the wider landscape.

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised engineering strategy, including the use of split-level dwellings, tiered gardens, retaining structures and structural landscaping throughout the northern part of the site. It provides evidence of whether officers consider the revised engineering approach to satisfactorily address the Inspector's previous concerns regarding the site's topography and the resulting landform changes.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has materially altered the engineering strategy identified by the Inspector as necessary to accommodate development across the site's steep topography following the dismissed appeal. Particular consideration has been given to whether changes to split-level dwellings, tiered gardens, retaining structures, finished levels, structural landscaping and associated engineering works demonstrate a more successful response to the site's topography and geology.

The review considers whether the applicant's supporting statements, engineering drawings, landscape evidence and amended proposals collectively demonstrate that the revised engineering strategy provides improved integration between the proposed development, the existing landform and the surrounding landscape, or whether the development remains fundamentally dependent upon extensive retaining structures, engineered level changes and land re-profiling to deliver the approved layout.

Documents Reviewed

Primary Documents

- **56–58** – Amended Proposed Site Sections
- **61/62** – Amended Retaining Wall Sections
- **65/66** – Amended Schematic Finished Levels
- **50/55** – Amended Proposed Site Layout

Secondary Documents

- **13/14** – Amended Design and Access Statement
- **119** – Planning Statement
- **87** – Explanation of Key Changes
- **24** – Amended Landscape Masterplan
- **27/28** – Amended Landscape and Visual Impact Assessment
- **75** – Committee Report

Comparative Appeal Documents

- **241/242** – Appeal Proposed Site Layout
- **250** – Appeal Statement of Case – Design
- **251** – Appeal Statement of Case – Landscape
- **246** – Appeal Decision

Assessment against Research Questions

Research Question

Has the overall engineering approach changed since the appeal?

Evidence-based Answer

The revised application continues to adopt the same fundamental engineering approach identified by the Inspector, comprising split-level dwellings, tiered gardens, retaining structures and structural landscaping to accommodate development across the sloping site. The submitted engineering drawings provide considerably greater detail regarding how this strategy is to be implemented. However, no evidence has been identified demonstrating that the underlying engineering approach has materially changed; rather, the revised proposal refines and further develops the original engineering solution.

Research Question

Evidence-based Answer

Have the number, height or extent of retaining structures changed?

The amended Retaining Wall Sections and Schematic Finished Levels demonstrate revisions to the location, configuration and detailing of retaining structures across the site. The engineering drawings identify numerous retaining walls of varying heights distributed throughout the development. Whilst their arrangement has been amended, no evidence has been identified demonstrating that the overall reliance upon retaining structures has been materially reduced.

Have split-level dwellings or tiered gardens increased or decreased?

Split-level dwellings and tiered gardens remain integral components of the revised proposal, particularly within the northern part of the site. The submitted evidence continues to rely upon these design measures to accommodate changes in level. No evidence has been identified demonstrating a material reduction in the dependence upon split-level development or engineered garden terraces since the appeal.

Does the revised proposal remain dependent on extensive land re-profiling?

Yes. The revised Site Sections, Finished Levels and engineering drawings continue to demonstrate that substantial re-profiling of the existing landform is required to create development platforms, accommodate changes in level and facilitate the proposed layout. Whilst the engineering solution has been refined, the revised proposal remains fundamentally dependent upon extensive land re-profiling.

Has the landscaping strategy been amended to better integrate retaining structures?

Yes. The amended Landscape Masterplan introduces revisions to planting and structural landscaping intended to soften the appearance of retaining structures and engineered landform. The applicant therefore demonstrates an enhanced landscape strategy. However, the submitted evidence does not, in itself, demonstrate that landscaping removes or materially reduces the underlying reliance upon engineering works.

Is there sufficient space to establish meaningful planting around retaining walls?

The revised proposals introduce wider landscape buffers in certain locations and provide additional planting opportunities adjacent to some engineered features. However, planting opportunities vary across the site and remain constrained where retaining structures occur within confined garden areas or close to plot boundaries. No evidence has been identified demonstrating that meaningful structural planting can be established around all retaining structures throughout the development.

Research Question

Do the revised proposals reduce the visual prominence of engineered landform?

Evidence-based Answer

The applicant seeks to reduce visual prominence through revised landscaping, amended retaining structures and a more detailed engineering strategy. However, the revised drawings continue to illustrate engineered level changes, retaining structures, stepped gardens and split-level development as defining characteristics of the northern part of the site. Whether these measures sufficiently mitigate visual effects is considered more fully in the subsequent landscape-related paragraphs.

Have the revised finished levels altered the relationship between dwellings, gardens and adjacent land?

Yes. The revised Finished Levels and Site Sections demonstrate amendments to development platforms, garden levels and retaining structures throughout the site. These revisions alter the detailed relationship between individual dwellings, gardens and adjoining land. However, no evidence has been identified demonstrating that these amendments materially reduce the engineering intervention necessary to accommodate development on the site.

Does the revised scheme demonstrate a more successful response to the site's topography?

The revised application provides a significantly more comprehensive engineering response supported by detailed sections, retaining wall drawings and finished level information. This better explains how the development is intended to respond to the site's topography. Nevertheless, the submitted evidence demonstrates refinement of the engineering solution rather than a materially different approach to accommodating the site's physical constraints.

Has the applicant justified any increase in engineering works?

The applicant explains that revisions to retaining structures, finished levels, garden gradients and associated engineering works have been introduced to respond to the site's topography and to achieve appropriate development platforms and compliant gradients. Whilst this provides a clearer engineering justification than was available at appeal, no evidence has been identified demonstrating that any additional engineering intervention materially overcomes the Inspector's underlying concern regarding the extent of landform alteration required.

Principal Question

Has the applicant demonstrated that the revised engineering strategy provides a more successful response to the site's topography while reducing, or adequately justifying, the reliance on retaining structures, split-level development, tiered gardens and land re-profiling?

Evidence-based Answer

The revised application continues to adopt the same fundamental engineering strategy identified by the Inspector, relying upon split-level dwellings, tiered gardens, retaining structures, engineered development platforms and structural landscaping to accommodate development across the site's steeply sloping topography. The principal change since the appeal is not the engineering approach itself, but the level of technical information submitted to explain how that approach is intended to be implemented.

The amended Site Sections, Retaining Wall Sections and Schematic Finished Levels provide considerably more detailed evidence of the relationship between the proposed development, existing landform and engineered finished levels. The revised proposals also introduce amendments to retaining structures, garden gradients, finished levels and landscaping, together with additional technical information explaining the engineering strategy.

However, the submitted evidence does not demonstrate that the revised proposal has materially reduced its reliance upon retaining structures, split-level development, tiered gardens or engineered land re-profiling. Rather, the revised application provides a more comprehensive and refined engineering solution for accommodating substantially the same topographical constraints identified by the Inspector.

The landscape strategy has also been strengthened through revised structural planting and landscape proposals intended to soften the appearance of engineering works. Whilst these amendments represent a genuine refinement of the scheme, no evidence has been identified demonstrating that they fundamentally alter the engineering strategy or remove the need for extensive engineered intervention across the northern part of the site.

Evidence-based Conclusion

The Inspector identified split-level dwellings, tiered gardens, retaining structures and structural landscaping as integral components of the engineering strategy required to accommodate development across the northern part of the site. The revised application retains each of those principal characteristics.

The submitted evidence demonstrates that the engineering strategy has been refined and considerably better documented through additional technical drawings and revised engineering information. However, no evidence has been identified demonstrating that the revised proposal materially reduces the development's dependence upon engineered landform, retaining structures or split-level design.

Accordingly, the revised application demonstrates a more comprehensive engineering solution rather than a materially different engineering approach. The principal engineering strategy identified by the Inspector therefore remains substantially unchanged, with subsequent paragraphs needing to consider whether the resulting effects of that strategy have been satisfactorily addressed in specific locations across the site.

Outcome: Partially Addressed

Reason: The applicant has provided a significantly more detailed and better-evidenced engineering strategy, together with refinements to retaining structures, landscaping and finished levels. However, no evidence has been identified demonstrating that the revised proposal materially reduces its reliance upon split-level development, retaining structures, tiered gardens or engineered land re-profiling. The revised application therefore refines and better explains the original engineering approach rather than fundamentally changing it.

Paragraph 18

Inspector's Point

18. The retaining structures and dwellings would be clearly visible, particularly in close views from properties to the west of the site on Wilpshire Banks where the dwellings would be at much higher land levels. It would take time for the proposed landscape buffers between these properties and the new dwellings to mature. Nonetheless, provided reasonable sized specimens were used within the landscaping scheme at the outset of planting, due to the distance, the visual appearance of the structures and dwellings would be lessened, as is the case with existing surrounding development. Should I be minded to allow the development this could be dealt with by the imposition of a suitably worded condition.

Summary

The Inspector accepts that the retaining structures and dwellings would initially be clearly visible, particularly from properties on Wilpshire Banks. However, she concludes that the visual impact would lessen over time through the establishment of landscape planting, and that appropriate landscaping could be secured by planning condition.

Initial Thoughts

- Do the revised proposals continue to demonstrate that the retaining structures and dwellings would initially be visually prominent?
- Does the Inspector's conclusion remain dependent upon the successful establishment and long-term retention of landscape mitigation?
- Has the revised proposal altered the relationship between the retaining structures, dwellings and landscape buffers?
- Does the revised proposal remain dependent upon future planting to reduce visual impact?

- Is there sufficient evidence that the proposed landscape mitigation would be effective in both the short and long term?
- How secure is the proposed mitigation if it depends upon planting that may be affected by future management or changes within the development?

Additional Research Questions

Landscape Mitigation

- Has the landscape buffer changed since the appeal?
- Is sufficient space available to establish meaningful landscape screening?
- Have the proposed planting widths, species or buffer depths changed?
- Does the revised Landscape Masterplan demonstrate how effective screening would be achieved?

Long-term Effectiveness

- Does the revised application explain how the landscape mitigation will be established and maintained?
- What assumptions have been made regarding the maturity and effectiveness of the proposed planting?
- Are the retaining structures likely to remain visually prominent before the planting matures?
- Is the effectiveness of the mitigation dependent upon future management or replacement planting?

Planning Conditions

- What landscaping condition did the Inspector envisage?
- Does the revised proposal provide sufficient detail for such a condition to be effective?
- How would the long-term maintenance and replacement of planting be secured?

General Observation

The Inspector accepted that the proposed retaining structures and dwellings would initially be visually prominent, particularly when viewed from existing properties on Wilpshire Banks due to the significant difference in land levels. However, she concluded that this initial visual impact would reduce over time through the establishment of structural landscape planting, provided that appropriately sized specimens were planted at the outset and secured by planning condition. Paragraph 18 therefore represents a transitional assessment between the engineering strategy described in the preceding paragraphs and the visual effects of that strategy within the wider landscape.

The revised application should therefore demonstrate not only that appropriate landscape buffers continue to be provided, but also that the proposed planting is capable of establishing successfully, providing meaningful screening over time and being secured through appropriate long-term management. Where revisions have been made to the layout, retaining structures or landscape framework, the submitted evidence should demonstrate that these changes maintain or improve the effectiveness of the mitigation relied upon by the Inspector. Conversely, if the revised proposals increase the visual prominence of engineered landform or reduce the effectiveness of landscape screening, the applicant should demonstrate how those changes continue to satisfy the Inspector's previous conclusions.

Review of Submitted Evidence

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 18

The amended Landscape Masterplan provides the principal evidence of the proposed landscape mitigation, including the width of landscape buffers, structural planting, tree and shrub planting, and the relationship between the proposed development and existing properties on Wilpshire Banks. Comparison with the appeal Landscape Masterplan provides evidence of whether the revised proposals materially alter the effectiveness of the landscape screening relied upon by the Inspector to reduce the visual prominence of the retaining structures and dwellings over time.

Documents 27/28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 18

The amended Landscape and Visual Impact Assessment explains the applicant's assessment of the visual effects arising from the revised proposals and the contribution made by structural landscaping in mitigating those effects. It provides evidence of the assumptions made regarding planting establishment, maturity and long-term effectiveness, together with the anticipated reduction in visual impact as the landscape proposals become established.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 18

The amended Proposed Site Sections illustrate the relationship between the proposed dwellings, retaining structures, existing landform and landscape buffers. They provide evidence of whether the revised engineering strategy alters the visual relationship between the development and existing properties on Wilpshire Banks and whether sufficient space remains for the proposed landscape mitigation to become established.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 18

The amended Retaining Wall Sections provide detailed evidence of the scale, form and location of retaining structures throughout the northern part of the site. They enable assessment of whether revisions to the retaining structures affect their visual prominence and whether the proposed landscape mitigation is capable of integrating those engineering works within the wider landscape.

Documents 18–22 – Amended External Works Sheets 1–5

Relevant to Paragraph 18

The amended External Works drawings illustrate the relationship between retaining structures, finished levels, garden arrangements and proposed planting throughout the development. They provide evidence of whether the revised engineering works maintain adequate space for landscape establishment and whether revisions to levels or boundary treatments affect the effectiveness of the proposed mitigation.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 18

The Design and Access Statement explains the design rationale underpinning the revised landscape strategy and its relationship to the site's topography and surrounding character. It provides evidence of how the applicant considers the proposed landscaping integrates the development into its setting and should be assessed alongside the amended landscape drawings to determine whether those objectives are reflected in the revised scheme.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 18

The Explanation of Key Changes identifies revisions to the landscape framework, planting strategy and engineering works following the dismissed appeal. It provides evidence of whether the applicant relies upon these amendments to improve the effectiveness of the landscape mitigation previously considered by the Inspector.

Document 119 – Planning Statement

Relevant to Paragraph 18

The Planning Statement sets out the applicant's planning justification for the revised landscape proposals and explains how the amended mitigation is intended to respond to the Inspector's previous findings. It provides evidence of whether the applicant considers the revised landscape strategy to reduce the visual effects of the proposed engineering works and whether those claims are supported by the submitted technical information.

Secondary Documents

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised landscape strategy and its effectiveness in mitigating the visual effects of the proposed retaining structures and dwellings. It provides evidence of whether officers consider the revised landscape mitigation capable of addressing the Inspector's previous conclusions regarding the visual impact of the development.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has materially altered the landscape mitigation relied upon by the Inspector to reduce the visual prominence of the proposed retaining structures and dwellings following the dismissed appeal. Particular consideration has been given to whether changes to the landscape buffers, structural planting, retaining structures, site sections and engineering works demonstrate a more successful visual integration of the development within its hillside setting.

The review considers whether the applicant's supporting statements, landscape evidence, engineering drawings and amended proposals collectively demonstrate that the revised landscape strategy would provide effective screening of the proposed retaining structures and dwellings over both the short and long term, or whether the development remains dependent upon landscape mitigation whose effectiveness is uncertain or reliant upon future establishment, management and replacement planting.

Documents Reviewed

Primary Documents

- 24 – Amended Landscape Masterplan
- 27/28 – Amended Landscape and Visual Impact Assessment
- 56–58 – Amended Proposed Site Sections
- 61/62 – Amended Retaining Wall Sections
- 18–22 – Amended External Works Sheets 1–5

Secondary Documents

- 13/14 – Amended Design and Access Statement
- 50/55 – Amended Proposed Site Layout
- 119 – Planning Statement
- 87 – Explanation of Key Changes
- 75 – Committee Report

Comparative Appeal Documents

- 182 – Appeal Landscape Masterplan, February 2024
- 230 – Appeal Landscape Masterplan, Revision D, April 2024
- 195 – Appeal Coloured Sections
- 241/242 – Appeal Proposed Site Layout
- 249 – Appellant’s Statement of Case
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape
- 246 – Appeal Decision

Assessment against Research Questions

Research Question	Evidence-based Answer
Do the revised proposals continue to demonstrate that the retaining structures and dwellings would initially be visually prominent?	Yes. The revised proposals continue to place dwellings and associated retaining structures on elevated development platforms within the northern part of the site. The amended Site Layout, Site Sections, Retaining Wall Sections and Finished Levels demonstrate that these engineered elements remain clearly visible from lower-lying receptors, particularly properties on Wilpshire Banks. Neither the Planning Statement nor the Design and Access Statement identifies any fundamental reduction in this initial visibility; instead, the applicant relies upon landscape mitigation to lessen these effects over time.

Research Question

Evidence-based Answer

Does the Inspector's conclusion remain dependent upon the successful establishment and long-term retention of landscape mitigation?

Yes. The revised application continues to rely upon structural planting as the principal means of reducing the visual effects of retaining structures and elevated dwellings. The Landscape Masterplan, LVIA and Planning Statement all assume that planting will establish successfully and progressively soften views. No alternative design solution has been introduced that materially reduces this reliance.

Has the revised proposal altered the relationship between the retaining structures, dwellings and landscape buffers?

The relationship has been refined rather than fundamentally altered. The revised Landscape Masterplan introduces amendments to planting and buffer arrangements and the engineering drawings modify the position of some retaining structures. However, the overall relationship remains the same, with landscape buffers continuing to sit between engineered development and existing neighbouring properties. No evidence has been identified demonstrating a material change to this underlying design approach.

Does the revised proposal remain dependent upon future planting to reduce visual impact?

Yes. Across the submitted evidence the applicant continues to present landscape establishment as the primary mechanism for reducing visual effects. The amended proposals provide enhanced planting detail but do not demonstrate that the built form or engineering works themselves are materially less prominent without that future planting.

Is there sufficient evidence that the proposed landscape mitigation would be effective in both the short and long term?

The revised submission provides considerably more detailed landscape information than was available at appeal, including updated planting proposals and visual assessment. However, the evidence continues to rely upon assumptions regarding future establishment and maturity. Whilst the applicant explains how visual effects are expected to reduce over time, no evidence has been identified demonstrating the effectiveness of the mitigation during the early years before planting becomes established.

How secure is the proposed mitigation if it depends upon planting that may be affected by future management or changes within the development?

The revised proposals assume that the planting will be successfully established and maintained. Whilst planning conditions and landscape management can secure implementation and replacement planting, the long-term effectiveness of the mitigation remains dependent upon ongoing management and successful establishment. No evidence has been identified demonstrating how future changes within private plots would affect the continued effectiveness of all proposed screening.

Research Question

Evidence-based Answer

Has the landscape buffer changed since the appeal?

Yes. Comparison of the amended Landscape Masterplan with the appeal Masterplan demonstrates revisions to planting composition, buffer configuration and landscape treatment in several locations. However, these represent refinement of the landscape strategy rather than a fundamental redesign of the buffer system.

Is sufficient space available to establish meaningful landscape screening?

The revised Landscape Masterplan provides improved opportunities for structural planting in several areas and wider landscape corridors in parts of the site. Nevertheless, opportunities remain constrained adjacent to certain retaining structures, plot boundaries and engineered garden terraces. No evidence has been identified demonstrating that substantial structural screening can be achieved uniformly across all sensitive boundaries.

Have the proposed planting widths, species or buffer depths changed?

Yes. The revised Landscape Masterplan introduces amendments to planting specification, species mix and buffer arrangements compared with the appeal proposals. These changes are intended to strengthen landscape integration, although the submitted evidence does not demonstrate that they fundamentally alter the reliance upon future vegetation to mitigate the development.

Does the revised Landscape Masterplan demonstrate how effective screening would be achieved?

It demonstrates the applicant's intended landscape strategy more comprehensively than the appeal submission. The Masterplan identifies structural planting, woodland reinforcement and boundary treatment designed to soften views of the development. However, the effectiveness of that screening remains dependent upon successful establishment and future growth rather than immediate mitigation.

Does the revised application explain how the landscape mitigation will be established and maintained?

Yes, to a greater extent than the appeal submission. The revised landscape documentation, Planning Statement and Committee Report explain the intended implementation of planting and its relationship to planning conditions. However, the evidence provides relatively limited detail regarding the practical management of planting over the full lifetime of the development beyond normal maintenance expectations.

Research Question	Evidence-based Answer
What assumptions have been made regarding the maturity and effectiveness of the proposed planting?	The LVIA continues to assess the development on the basis that planting will progressively mature and reduce visual effects over time. The applicant assumes successful establishment of landscape buffers consistent with normal landscape assessment practice. Those assumptions remain central to the predicted reduction in visual impact.
Are the retaining structures likely to remain visually prominent before the planting matures?	Yes. The Site Sections, engineering drawings and LVIA collectively demonstrate that retaining structures and elevated dwellings would remain visible during the establishment period before landscape planting reaches maturity. The Inspector recognised this in the appeal decision and the revised proposals do not materially alter that initial relationship.
Is the effectiveness of the mitigation dependent upon future management or replacement planting?	Yes. The long-term effectiveness of the proposed mitigation remains dependent upon ongoing landscape management, replacement of failed planting where necessary and continued maintenance of the structural landscape framework. No evidence has been identified demonstrating that the visual mitigation would remain equally effective in the absence of those future management measures.
What landscaping condition did the Inspector envisage?	The Inspector envisaged a planning condition securing the implementation of a landscaping scheme, including the use of reasonably sized specimens at the outset to accelerate screening and reduce the visual appearance of the retaining structures and dwellings during establishment.
Does the revised proposal provide sufficient detail for such a condition to be effective?	Yes. The revised Landscape Masterplan, planting information and supporting landscape documentation provide considerably greater detail than the appeal submission and are capable of forming the basis of a detailed landscaping condition. Whether the implemented landscaping ultimately achieves the anticipated level of screening is a separate matter.
How would the long-term maintenance and replacement of planting be secured?	The submitted evidence indicates that long-term maintenance would primarily be secured through appropriately worded landscape conditions requiring implementation, establishment, maintenance and replacement of failed planting. Whilst this provides an appropriate planning mechanism, no evidence has been identified demonstrating that such conditions would remove the inherent dependence upon future planting to mitigate the visual effects identified by the Inspector.

Principal Question

Has the applicant demonstrated that the revised landscape mitigation would realistically reduce the visual prominence of the retaining structures and dwellings over both the short and long term, and that this mitigation can be effectively established, secured and maintained?

Evidence-based Answer

The revised application provides a more detailed and better-integrated landscape strategy than the appeal scheme. Comparison of the amended Landscape Masterplan, revised layout and supporting landscape evidence with the appeal documents demonstrates changes to the configuration of landscape buffers, planting composition and structural planting in several locations. These changes provide improved opportunities for visual softening and represent a genuine refinement of the mitigation strategy.

However, the revised scheme continues to rely upon the same underlying mechanism accepted by the Inspector: the retaining structures and elevated dwellings would remain visually apparent at the outset, with their prominence expected to lessen progressively as the proposed planting establishes and matures. The amended sections, retaining-wall information and engineering drawings do not demonstrate that the initial visibility of those features has been removed. Rather, the applicant continues to rely upon future landscape growth to assimilate the development.

The revised Landscape Masterplan and LVIA provide a clearer explanation of how screening and visual softening are intended to occur. They also provide a stronger basis for securing planting through condition. Nevertheless, the evidence does not demonstrate equivalent mitigation in the short term before planting has established, nor does it establish that substantial structural screening can be achieved uniformly around every retaining structure or sensitive boundary.

The effectiveness of the mitigation therefore remains dependent upon appropriately sized planting being installed at the outset, successful establishment, continuing maintenance and the replacement of failed or lost specimens. Those matters are capable of being secured through planning conditions and subsequent management arrangements, but no evidence has been identified demonstrating that the revised proposal removes that long-term dependency.

Accordingly, the applicant has demonstrated an enhanced and more comprehensively evidenced landscape strategy. The revised evidence strengthens the basis for the Inspector's conclusion that visual effects may lessen over time in locations where adequate separation and planting space are available. It does not demonstrate that the initial visual prominence of the retaining structures and dwellings has been overcome, or that effective mitigation is assured equally across all parts of the development.

Evidence-based Conclusion

The Inspector accepted that the retaining structures and dwellings would initially be clearly visible, but considered that their visual appearance could be lessened over time through appropriately specified landscape planting secured by condition. The revised application does not undermine that general conclusion. In some locations, wider buffers and revised structural planting provide an improved physical basis for landscape establishment and represent a genuine enhancement over the appeal scheme.

However, the submitted evidence continues to confirm that the mitigation would not be immediate. The revised development remains dependent upon future planting to reduce the visual prominence of elevated dwellings, retaining structures and engineered landform. Its effectiveness relies upon successful establishment, long-term management and replacement planting, and the evidence does not demonstrate that meaningful structural screening can be achieved uniformly in every constrained location.

The Inspector's favourable finding in Paragraph 18 therefore remains capable of applying where sufficient distance and planting space are demonstrated. It should not, however, be treated as establishing that landscape mitigation resolves the visual effects of retaining structures throughout the site. The more constrained boundary relationships identified in Paragraphs 19–23 require separate assessment and cannot be assumed to benefit from the same degree of mitigation.

Outcome: Partially Addressed

Reason: The applicant has strengthened the landscape strategy through revised buffers, additional structural planting and more comprehensive supporting evidence. These changes improve the basis upon which landscaping could lessen visual effects over time and provide sufficient information for detailed mitigation to be secured by condition.

However, the revised proposals continue to demonstrate that retaining structures and elevated dwellings would remain visually prominent during the establishment period. The effectiveness of the mitigation remains dependent upon future planting, long-term management and replacement, and no evidence has been identified demonstrating that meaningful screening can be achieved consistently across all sensitive locations. The Inspector's conclusion is therefore supported in principle, but only subject to the same fundamental qualifications and dependencies.

Paragraph 19

Inspector's Point

19. Notwithstanding the above, higher retaining structures would be constructed within other areas of the site close to the boundaries where it has not been clearly demonstrated there would be sufficient space to accommodate landscaping to screen the structure and/or the proposed dwellings. This would particularly be evident to the rear of several plots.

Summary

The Inspector distinguishes these areas from those discussed previously, finding that in some parts of the site there is insufficient evidence to demonstrate that adequate landscaping could be provided to screen higher retaining structures and proposed dwellings close to the site boundaries.

Initial Thoughts

- The Inspector identifies a limitation to the proposed landscape mitigation.
- Her concern is evidential: it has not been clearly demonstrated that sufficient space exists for effective landscaping.
- This represents a significant qualification to the conclusions reached in Paragraph 18.
- I suspect this remains a fundamental issue. The revised drawings should be examined to establish whether sufficient space for meaningful landscape mitigation has genuinely been achieved.
- Has the revised proposal increased or reduced the available landscape buffer in these locations?
- Does the revised application now demonstrate that meaningful landscape screening can be achieved?
- Have the revised engineering works altered the relationship between retaining structures, dwellings and the site boundaries?

Additional Research Questions

Landscape Buffers

- Have the landscape buffers adjacent to the site boundaries changed since the appeal?
- Is sufficient width now available to accommodate meaningful planting?
- Have planting proposals been strengthened or revised?

- Do the revised drawings clearly demonstrate how retaining structures would be screened?

Retaining Structures

- Have the height, extent or location of retaining structures changed?
- Have any retaining structures moved closer to the site boundaries?
- Does the revised proposal reduce reliance on boundary retaining walls?

Evidence

- What evidence has the applicant provided to demonstrate that sufficient physical space exists to establish and sustain effective landscape screening?
- Do the revised Landscape Masterplan and sections support that conclusion?
- Does the revised Landscape and Visual Impact Assessment explain how these previously identified concerns have been addressed?

Review of Submitted Evidence

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 19

The amended Landscape Masterplan provides the principal evidence of the proposed landscape buffers, structural planting and relationship between the development and surrounding site boundaries. Comparison with the appeal Landscape Masterplans (Documents 182 and 230) provides evidence of whether the revised proposals have increased the available planting depth adjacent to retaining structures and whether sufficient space has been created to establish meaningful landscape screening in the locations identified by the Inspector.

Documents 27/28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 19

The amended Landscape and Visual Impact Assessment explains how the applicant considers the revised landscape strategy will mitigate the visual effects of the proposed retaining structures and elevated dwellings. It provides evidence of the assumptions made regarding landscape establishment, maturity and long-term effectiveness and should be assessed alongside the Landscape Masterplan and engineering drawings to determine whether the previously identified evidential gap has now been addressed.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 19

The amended Proposed Site Sections illustrate the relationship between existing and proposed ground levels, retaining structures, development platforms and adjacent site boundaries. They provide evidence of whether the revised engineering strategy has increased the physical space available for landscape planting or whether higher retaining structures remain closely related to neighbouring boundaries.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 19

The amended Retaining Wall Sections provide detailed evidence of the location, form and scale of the retaining structures required throughout the development. Comparison with the appeal proposals enables assessment of whether the revised engineering strategy has reduced the prominence of boundary retaining structures or altered their relationship with adjoining land in a manner that facilitates effective landscape screening.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 19

The amended Proposed Site Layouts provide the principal evidence of the spatial relationship between proposed dwellings, retaining structures, landscape buffers and neighbouring boundaries. Comparison with the appeal layouts (Documents 241 and 242) provides evidence of whether the revised proposal has increased separation distances or redistributed development in a way that creates additional opportunities for meaningful landscape mitigation.

Document 39 – Amended Proposed Boundary Treatment Plan

Relevant to Paragraph 19

The amended Boundary Treatment Plan provides detailed evidence of the proposed boundary treatments, including fences, walls, hedges and their relationship with retaining structures and landscape planting. It assists in determining whether sufficient physical space has been provided to accommodate the proposed boundary landscaping and whether the revised proposal demonstrates a clearer strategy for screening engineered features adjacent to neighbouring properties.

Document 49 – Amended Proposed Sectional Elevations

Relevant to Paragraph 19

The amended Proposed Sectional Elevations illustrate the intended relationship between dwellings, retaining structures, finished ground levels and surrounding landscape. They provide visual evidence of how the revised engineering and landscape proposals are intended to integrate with the site and should be considered alongside the technical sections to establish whether sufficient opportunities exist for effective screening in the locations identified by the Inspector.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 19

The Design and Access Statement explains the applicant's design rationale for the revised layout and landscape strategy, including the intended relationship between the development, the site's topography and surrounding landscape. It provides evidence of how the applicant considers the revised proposals respond to the Inspector's concerns and should be assessed alongside the amended drawings to determine whether those objectives are reflected in the submitted scheme.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 19

The Explanation of Key Changes identifies the amendments made following the dismissed appeal, including revisions to landscape buffers, engineering works, retaining structures and boundary treatments. It provides evidence of whether the applicant specifically relies upon these amendments to address the Inspector's concern that insufficient space had previously been demonstrated for effective landscape screening.

Document 119 – Planning Statement

Relevant to Paragraph 19

The Planning Statement sets out the applicant's planning justification for the revised proposals and explains how the amendments are intended to respond to the dismissed appeal. It provides evidence of whether the applicant considers the revised landscape strategy and boundary treatment to overcome the Inspector's previous concerns and should be assessed against the amended drawings and technical evidence.

Secondary Documents

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised landscape strategy, retaining structures and relationship with neighbouring boundaries. It provides evidence of whether officers consider the revised proposals to have adequately addressed the Inspector's previous concern regarding the availability of sufficient space for effective landscape mitigation.

Comparative Appeal Documents

Document 244 – Appeal Boundary Treatment Plan

The appeal Boundary Treatment Plan provides the baseline against which the revised boundary strategy can be compared. It assists in identifying whether the current application has materially altered the relationship between retaining structures, landscape buffers and adjoining site boundaries.

Document 302 – Appeal Proposed Sectional Elevations

The appeal Proposed Sectional Elevations provide comparative evidence of the relationship between retaining structures, proposed dwellings and surrounding land at the time of the appeal. Comparison with the amended sectional elevations assists in determining whether the revised proposal has materially improved opportunities for landscape screening.

Document 311 – Appeal Street Scenes

The appeal Street Scenes provide visual evidence of the anticipated appearance of the development, retaining structures and landscape treatment from key viewpoints. Comparison with the revised proposals assists in determining whether the amendments materially alter the visual relationship between the development, the site boundaries and surrounding properties, particularly in the locations identified by the Inspector.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has addressed the Inspector's concern that it had not been clearly demonstrated there was sufficient space to accommodate landscaping capable of effectively screening higher retaining structures and proposed dwellings located close to the site boundaries following the dismissed appeal. Particular consideration has been given to whether revisions to the proposed layout, landscape buffers, retaining structures, finished levels, boundary treatments and engineering works provide sufficient physical space for meaningful structural planting to become established.

The review considers whether the applicant's supporting statements, landscape evidence, engineering drawings, boundary treatment proposals and amended layouts collectively demonstrate that the revised development provides an improved relationship between retaining structures, proposed dwellings and adjacent site boundaries. Particular regard has been had to whether the revised evidence objectively demonstrates that effective landscape screening can be achieved in the locations where the Inspector previously concluded that this had not been clearly demonstrated.

Documents Reviewed

Primary Documents

- 24 – Amended Landscape Masterplan
- 27/28 – Amended Landscape and Visual Impact Assessment
- 56–58 – Amended Proposed Site Sections
- 61/62 – Amended Retaining Wall Sections
- 50/55 – Amended Proposed Site Layout
- 39 – Amended Proposed Boundary Treatment Plan
- 49 – Amended Proposed Sectional Elevations

Secondary Documents

- 65/66 – Amended Schematic Finished Levels
- 13/14 – Amended Design and Access Statement
- 119 – Planning Statement
- 87 – Explanation of Key Changes
- 75 – Committee Report

Comparative Appeal Documents

- 182 – Appeal Landscape Masterplan (February 2024)
- 230 – Appeal Landscape Masterplan (Revision D – April 2024)
- 241/242 – Appeal Proposed Site Layout
- 244 – Appeal Boundary Treatment Plan
- 195 – Appeal Coloured Sections
- 302 – Appeal Proposed Sectional Elevations
- 311 – Appeal Street Scenes
- 249 – Appellant's Statement of Case
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape
- 246 – Appeal Decision

Assessment against Research Questions

Research Question

Do the revised proposals continue to demonstrate that higher retaining structures would be located close to site boundaries?

Evidence-based Answer

Yes. The revised Site Layouts, Site Sections, Retaining Wall Sections and Proposed Sectional Elevations continue to demonstrate that higher retaining structures remain necessary in several locations close to the site boundaries. Whilst aspects of the engineering design have been refined, no evidence has been identified demonstrating that the requirement for substantial boundary retaining structures has been fundamentally removed.

Research Question

Evidence-based Answer

Does the Inspector's concern remain focused upon whether sufficient space has been demonstrated for effective landscape screening?

Yes. The revised application provides more comprehensive landscape and engineering information than was available at appeal. However, the central issue identified by the Inspector remains whether the submitted evidence demonstrates sufficient physical space to establish meaningful landscape screening around higher retaining structures rather than simply proposing additional planting.

Has the revised proposal increased or reduced the available landscape buffer in these locations?

The revised Landscape Masterplan and Site Layout indicate that landscape buffers have been amended in several locations, with some areas providing increased opportunities for structural planting. However, the revisions are not uniform across the site and no evidence has been identified demonstrating that all previously constrained locations now benefit from materially increased landscape buffers.

Does the revised application now demonstrate that meaningful landscape screening can be achieved?

Partially. The revised application provides a more comprehensive landscape strategy supported by additional drawings and planting proposals. Nevertheless, where retaining structures remain close to site boundaries, the evidence does not consistently demonstrate that sufficient physical space exists to establish meaningful long-term structural planting capable of screening both the retaining structures and proposed dwellings.

Have the revised engineering works altered the relationship between retaining structures, dwellings and the site boundaries?

Yes. The detailed engineering proposals demonstrate revisions to retaining structures, finished levels and boundary treatments. However, these changes principally refine the engineering solution rather than fundamentally altering the relationship between the development, retaining structures and neighbouring boundaries.

Has the landscape buffer changed since the appeal?

Yes. Comparison of the amended Landscape Masterplan and appeal landscape proposals demonstrates revisions to planting areas, landscape buffers and structural planting. The revised proposals strengthen landscape mitigation in several locations but do not fundamentally alter the overall landscape strategy.

Is sufficient width now available to accommodate meaningful planting?

Partially. The revised proposals provide greater planting opportunities in some locations. However, no evidence has been identified demonstrating that sufficient planting width has been achieved consistently around all of the higher retaining structures identified by the Inspector.

Research Question

Evidence-based Answer

Have planting proposals been strengthened or revised?

Yes. The amended Landscape Masterplan, Planning Statement and Explanation of Key Changes demonstrate revisions to the structural planting strategy and landscape framework. These changes provide a more robust landscape proposal than the appeal scheme, although they remain dependent upon future establishment.

Do the revised drawings clearly demonstrate how retaining structures would be screened?

Partially. The revised Landscape Masterplan, Boundary Treatment Plan, Site Sections and Sectional Elevations provide a clearer illustration of the intended relationship between retaining structures and proposed planting than the appeal documents. However, the drawings do not in themselves demonstrate that adequate physical space exists in every location to achieve the level of screening anticipated.

Have the height, extent or location of retaining structures changed?

Yes. The engineering drawings demonstrate amendments to the location and configuration of retaining structures. However, no evidence has been identified demonstrating that the overall extent of engineered retaining structures has been materially reduced.

Have any retaining structures moved closer to the site boundaries?

The revised drawings indicate changes to the positioning of certain retaining structures relative to plot boundaries. Whilst individual relationships have altered, the evidence does not demonstrate a consistent increase or decrease in separation across all affected locations. The significance of these changes therefore depends upon the specific location being considered.

Does the revised proposal reduce reliance on boundary retaining walls?

No evidence has been identified demonstrating a material reduction in the proposal's reliance upon retaining walls adjacent to site boundaries. The revised engineering strategy continues to depend upon retaining structures to accommodate the site's topography.

What evidence has the applicant provided to demonstrate that sufficient physical space exists to establish and sustain effective landscape screening?

The applicant relies upon the revised Landscape Masterplan, Landscape and Visual Impact Assessment, Site Layout, Boundary Treatment Plan, Sectional Elevations, engineering drawings and supporting planning statements to demonstrate that effective screening can be achieved. Collectively these documents provide considerably more detail than the appeal submission. However, they do not conclusively demonstrate that sufficient physical space exists in every location identified by the Inspector.

Research Question

Do the revised Landscape Masterplan and sections support that conclusion?

Does the revised Landscape and Visual Impact Assessment explain how these previously identified concerns have been addressed?

Has the revised evidence objectively demonstrated that the Inspector's evidential concern has been overcome?

Evidence-based Answer

Partially. They demonstrate an improved and more comprehensive landscape strategy together with greater detail regarding the relationship between development, retaining structures and planting. Nevertheless, they continue to illustrate locations where retaining structures remain closely associated with site boundaries, limiting the certainty that meaningful structural planting can be established throughout.

Yes. The revised LVIA explains how the applicant considers the amended landscape strategy will reduce visual effects and integrate the development more effectively within the surrounding landscape. However, its conclusions continue to rely upon assumptions regarding successful planting establishment and maturity rather than demonstrating that the physical constraints identified by the Inspector have been removed.

Partially. The revised application provides significantly more comprehensive technical evidence, revised landscape proposals and additional engineering information than was available at appeal. These improvements strengthen the applicant's case and provide a clearer explanation of the intended mitigation. However, no evidence has been identified demonstrating that sufficient physical space for meaningful landscape screening has been established consistently across all of the locations where the Inspector previously concluded that this had not been clearly demonstrated.

Principal Question

Has the applicant demonstrated that sufficient physical space exists to provide effective and sustainable landscape screening around the higher retaining structures and proposed dwellings where they are located close to the site boundaries?

Evidence-based Answer

The revised application provides substantially more detailed landscape and engineering information than was available at the appeal. Comparison of the amended Landscape Masterplan, Boundary Treatment Plan, Proposed Site Layout, Site Sections, Retaining Wall Sections and supporting planning documents demonstrates that the applicant has refined the landscape strategy, revised the engineering design and introduced amendments to planting proposals and boundary treatments.

These revisions improve the clarity of the proposed relationship between retaining structures, proposed dwellings and landscape buffers and provide a stronger evidential basis for understanding how the applicant intends the landscape mitigation to function. In several locations the revised proposals provide increased opportunities for structural planting and a more comprehensive landscape framework than was previously submitted.

However, the Inspector's concern was not simply whether additional planting was proposed, but whether it had been clearly demonstrated that sufficient physical space existed to establish and sustain effective landscape screening adjacent to the higher retaining structures and site boundaries. Whilst the revised evidence provides a more detailed explanation of the intended mitigation, no evidence has been identified demonstrating that this evidential deficiency has been overcome in the locations identified by the Inspector.

The revised proposals continue to rely upon landscape planting to soften the appearance of retaining structures and elevated dwellings over time. In locations where retaining structures remain closely related to site boundaries, the submitted evidence does not demonstrate that adequate planting depth, growing conditions and long-term landscape establishment can consistently be achieved. The applicant has therefore strengthened the supporting evidence but has not objectively demonstrated that the Inspector's previous concern has been overcome.

Evidence-based Conclusion

Paragraph 19 represents an important qualification to the Inspector's findings in Paragraph 18. Whilst the Inspector accepted that landscape mitigation could reduce visual effects where sufficient space was available, she concluded that this had not been clearly demonstrated in several locations where higher retaining structures occurred close to site boundaries.

The revised application responds by providing a more comprehensive landscape strategy, additional engineering information and more detailed boundary treatment proposals. These amendments improve the quality of the submitted evidence and provide a clearer explanation of the applicant's intended mitigation strategy.

Nevertheless, the comparative review indicates that the revised application continues to rely upon the same fundamental mitigation strategy rather than materially altering the relationship between the engineered landform, retaining structures and neighbouring boundaries. Although the supporting information is more comprehensive than that presented at appeal, no evidence has been identified demonstrating that sufficient physical space now exists to establish and sustain meaningful landscape screening in the locations identified by the Inspector. Accordingly, the Inspector's evidential concern has not been objectively overcome.

Outcome ✗ Not Demonstrated

Reason: Whilst the revised application provides a more comprehensive body of landscape and engineering evidence than was available at appeal and better explains the applicant's intended mitigation strategy. However, the Inspector's concern was not the absence of landscape proposals but the absence of evidence demonstrating that sufficient physical space existed to accommodate effective landscape screening around higher retaining structures located close to site boundaries.

Whilst the revised submission refines the landscape proposals and provides additional supporting information, no evidence has been identified demonstrating that this evidential deficiency has been overcome. The revised proposal continues to rely upon the same fundamental mitigation strategy, and the submitted evidence does not objectively demonstrate that sufficient physical space exists in the locations identified by the Inspector. Accordingly, this specific concern is considered unaddressed.

Paragraph 20

Inspector's Point

20. From the evidence available, in order to ensure an acceptable road gradient, the proposed two storey dwelling at Plot 7 would be approximately 5m above the land level at the boundary of the site with the rear garden of 22 Whalley Road (No 22), and would include a 3m high retaining structure with a close boarded fence above. I observed the tall evergreen trees along this boundary are located within the garden of No 22 and their retention cannot therefore be guaranteed to screen the proposed development. Although two silver birch trees are located within the appeal site close to this boundary, the appellant's arboriculture information identifies these would be removed to facilitate the retaining structure requirements. As such, I find the limited separation to the boundary in combination with the proposed tall retaining feature and level difference to the dwelling on Plot 7 would result in a cramped and incongruous layout in this part of the site, out of character with the prevailing building pattern.

Summary

The Inspector concludes that the relationship between Plot 7 and No. 22 Whalley Road would be unacceptable. She finds that the significant level difference, retaining structure, close-boarded fence, limited separation distance and loss of existing trees would create a cramped and incongruous form of development that would be out of character with the surrounding area.

Initial Thoughts

- This is one of the Inspector's principal findings of harm.
- The Inspector identifies a combination of factors rather than a single design issue.
- Has the revised proposal altered the relationship between Plot 7 and No. 22 Whalley Road?
- Have the retaining structure, finished levels or separation distances been amended?
- Does the revised proposal still rely upon vegetation outside the applicant's control to soften or screen the development?
- Does this issue remain elsewhere within the revised proposal, even if Plot 7 has been amended?
- Do the revised application documents explain how the Inspector's concerns have been addressed, and is that explanation supported by the drawings?

Additional Research Questions

Plot 7

- Has Plot 7 been repositioned or redesigned?
- Have the finished levels changed?
- Has the retaining wall been reduced in height?
- Has the separation distance to No. 22 increased?
- Have the proposed boundary treatments changed?

Landscape and Trees

- Does the revised proposal continue to rely upon planting outside the applicant's control?
- Have replacement planting proposals changed?
- Has the arboricultural strategy altered?
- Are trees within the application site still proposed for removal to facilitate engineering works?

Wider Design Implications

- Have similar relationships elsewhere in the development been amended?
- Does the revised proposal continue to create comparable relationships between retaining structures, boundaries and neighbouring properties?
- Do the revised drawings demonstrate that this specific concern has been overcome?

Review of Submitted Evidence

Documents 50 / 55 – Amended Proposed Site Layout

Relevant to Paragraph 20

The amended Proposed Site Layouts provide the primary evidence for assessing whether Plot 7 has been repositioned or redesigned following the dismissed appeal. They enable comparison of the relationship between Plot 7, No. 22 Whalley Road, adjoining site boundaries, proposed garden depths and the surrounding development pattern. These drawings provide evidence of whether the revised proposal materially alters the spatial relationship that the Inspector previously considered to be cramped and incongruous.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 20

The amended Proposed Site Sections illustrate the vertical relationship between Plot 7, adjacent land levels, retaining structures and neighbouring properties. They provide evidence of whether the significant level difference identified by the Inspector has been reduced and whether the revised engineering solution materially alters the relationship between the proposed dwelling and No. 22 Whalley Road.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 20

The amended Retaining Wall Sections provide detailed information regarding the height, location and configuration of retaining structures associated with Plot 7. They enable direct comparison with the appeal proposals to determine whether the retaining wall has been reduced in height or otherwise redesigned to address the Inspector's concerns regarding visual prominence and the relationship with neighbouring land.

Documents 65/66 – Amended Schematic Finished Levels

Relevant to Paragraph 20

The amended Schematic Finished Levels provide evidence of existing and proposed site levels, development platforms and engineered landform surrounding Plot 7. They enable comparison with the appeal scheme to establish whether the proposed finished levels have reduced the approximately 5 metre level difference identified by the Inspector or whether substantial level differences remain.

Documents 9/10 – Amended Arboricultural Impact Assessment

Relevant to Paragraph 20

The amended Arboricultural Impact Assessment assesses the effect of the revised proposals upon existing trees adjacent to Plot 7 and identifies those requiring removal to facilitate development. Particular attention should be given to whether the silver birch trees identified by the Inspector remain affected by the revised engineering proposals and whether the revised scheme continues to rely upon vegetation outside the applicant's control to provide visual screening. The revised assessment also enables comparison with the appeal Arboricultural Impact Assessment to establish whether the arboricultural strategy has materially changed.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 20

The amended Landscape Masterplan illustrates proposed structural planting adjacent to Plot 7 and the western site boundary. It provides evidence of whether additional landscape mitigation has been introduced and whether sufficient space exists to establish effective long-term screening between the proposed development and No. 22 Whalley Road.

Documents 13 / 14 – Amended Design and Access Statement

Relevant to Paragraph 20

The Design and Access Statement explains the design rationale for amendments to Plot 7 and the wider northern part of the site. It provides evidence of whether the applicant specifically addresses the Inspector's concerns regarding the relationship between Plot 7, retaining structures, neighbouring properties and existing vegetation.

Documents 27/28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 20

The amended Landscape and Visual Impact Assessment considers the visual effects arising from the revised relationship between Plot 7, retaining structures and the western site boundary. It provides evidence of whether the applicant considers the revised proposals to reduce the visual prominence previously identified by the Inspector and whether those conclusions are supported by the revised drawings.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 20

The Explanation of Key Changes identifies amendments made following the appeal decision, including revisions to Plot 7, engineering works, retaining structures, finished levels and landscape proposals. It provides evidence of whether the applicant specifically intended these amendments to address the Inspector's concerns and should be assessed against the revised drawings to determine whether those objectives have been achieved.

Document 75 – Committee Report

Relevant to Paragraph 20

The Committee Report provides the Local Planning Authority's assessment of whether the revised proposals overcome the Inspector's findings relating to Plot 7, including the relationship with No. 22 Whalley Road, retaining structures, existing trees and the resulting character of development.

Scope of Document Review

The review focuses on whether the revised application has specifically addressed the Inspector's concerns regarding Plot 7 and its relationship with No. 22 Whalley Road. Particular attention has been given to whether amendments to the layout, finished levels, retaining structures, boundary treatments and landscape proposals materially alter the combination of factors which led the Inspector to conclude that this part of the development would appear cramped, incongruous and out of character.

The review also considers whether the revised arboricultural strategy has altered the Inspector's concern regarding the loss of existing trees within the application site and the continued reliance upon vegetation outside the applicant's control to provide visual screening. Comparative assessment has been undertaken against the appeal proposals to establish whether the revised scheme represents a fundamental design change or a refinement of the previous engineering solution.

The assessment is evidence-led and considers the submitted drawings, landscape information, arboricultural evidence and supporting planning documents collectively to determine whether the Inspector's specific concerns relating to Plot 7 have been objectively overcome.

Documents Reviewed

Primary Documents

50 / 55 – Amended Proposed Site Layout
56–58 – Amended Proposed Site Sections
61/62 – Amended Retaining Wall Sections
65/66 – Amended Schematic Finished Levels
9/10 – Amended Arboricultural Impact Assessment
24 – Amended Landscape Masterplan
18–22 – Amended External Works Sheets 1–5

Secondary Documents

13/14 – Amended Design and Access Statement
27/28 – Amended Landscape and Visual Impact Assessment
87 – Explanation of Key Changes
119 – Planning Statement
75 – Committee Report

Comparative Appeal Documents

194 – Appeal Arboricultural Impact Assessment
220 – Appeal Tree Protection Plan
230 – Appeal Landscape Masterplan
241/242 – Appeal Proposed Site Layout
246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

315 – Tree Impact Report (July 2023)

316 – Tree Protection Plan

Assessment against Research Questions

Research Question	Evidence-based Answer
Has Plot 7 been repositioned or redesigned?	Comparison of the amended Proposed Site Layouts with the appeal layout demonstrates that revisions have been made to the detailed layout surrounding Plot 7. However, no evidence has been identified demonstrating that Plot 7 has been fundamentally repositioned or redesigned in a manner that materially alters its relationship with No. 22 Whalley Road or the surrounding site boundaries.
Have the finished levels changed?	The amended Schematic Finished Levels and Proposed Site Sections demonstrate revisions to proposed development platforms and finished levels. However, the submitted evidence continues to indicate a substantial level difference between Plot 7 and adjoining land, and no evidence has been identified demonstrating that the significant change in level identified by the Inspector has been materially reduced.
Has the retaining wall been reduced in height?	The amended Retaining Wall Sections demonstrate revisions to the engineering design and retaining structures associated with Plot 7. Whilst detailed alterations have been made, no evidence has been identified demonstrating that the substantial retaining structure identified by the Inspector has been materially reduced as part of the revised proposal.
Has the separation distance to No. 22 increased?	The amended Site Layout indicates limited amendments to the relationship between Plot 7 and the western site boundary. However, no evidence has been identified demonstrating that the separation distance has increased sufficiently to materially alter the relationship previously considered by the Inspector to be cramped and incongruous.

Research Question	Evidence-based Answer
Have the proposed boundary treatments changed?	Yes. The revised Boundary Treatment Plan identifies amendments to proposed fences, walls and boundary treatments. These revisions provide greater clarity regarding the intended treatment of site boundaries but do not, in themselves, demonstrate that the Inspector's concerns regarding the overall relationship between Plot 7 and No. 22 have been overcome.
Does the revised proposal continue to rely upon planting outside the applicant's control?	The amended Arboricultural Impact Assessment and Landscape Masterplan indicate that existing vegetation within neighbouring land continues to contribute to the visual context of the site. Whilst additional planting is proposed within the application site, no evidence has been identified demonstrating that the revised proposal no longer relies, at least in part, upon vegetation outside the applicant's control to soften views of the development.
Have replacement planting proposals changed?	Yes. The amended Landscape Masterplan includes revised structural planting and landscape proposals intended to strengthen boundary planting. These revisions improve the proposed mitigation strategy but do not remove the Inspector's concern regarding the relationship between Plot 7, the retaining structures and neighbouring properties.
Has the arboricultural strategy altered?	Yes. The revised Arboricultural Impact Assessment provides updated arboricultural information and reflects amendments to the development proposals. However, no evidence has been identified demonstrating that the revised strategy fundamentally changes the Inspector's concern regarding the loss of existing trees required to facilitate the engineering works.
Are trees within the application site still proposed for removal to facilitate engineering works?	The revised Arboricultural Impact Assessment continues to identify the removal of trees where necessary to accommodate the proposed development and associated engineering works. Whilst the extent of tree removal has been reviewed, no evidence has been identified demonstrating that the Inspector's specific concern regarding tree loss adjacent to Plot 7 has been eliminated.
Have similar relationships elsewhere in the development been amended?	The revised proposals include amendments to retaining structures, boundary treatments and landscape buffers elsewhere across the site. However, the overall engineering approach remains substantially unchanged and similar relationships between elevated development, retaining structures and neighbouring boundaries continue to occur within other parts of the scheme.

Research Question

Does the revised proposal continue to create comparable relationships between retaining structures, boundaries and neighbouring properties?

Do the revised drawings demonstrate that this specific concern has been overcome?

Evidence-based Answer

Yes. The amended engineering drawings and site layout continue to demonstrate locations where retaining structures remain closely associated with neighbouring boundaries. Whilst the detailed design has been refined, no evidence has been identified demonstrating that these relationships have been fundamentally altered.

No. Collectively, the amended Site Layout, Site Sections, Retaining Wall Sections, Finished Levels, Arboricultural Impact Assessment, Landscape Masterplan and supporting documents provide considerably more detailed technical information than was available at appeal. However, no evidence has been identified demonstrating that the combination of factors relied upon by the Inspector in relation to Plot 7—including levels, retaining structures, limited separation, tree loss and reliance upon neighbouring vegetation—has been materially altered such that his original planning concern has been objectively overcome.

Principal Question

Has the applicant demonstrated that the revised proposal overcomes the Inspector's specific concerns regarding Plot 7, and have similar issues elsewhere within the scheme also been addressed?

Evidence-based Answer

The revised application provides more comprehensive engineering, landscape and arboricultural information than was available at the appeal. Comparison of the amended Site Layout, Site Sections, Retaining Wall Sections, Finished Levels, Arboricultural Impact Assessment, Landscape Masterplan and supporting planning documents demonstrates that revisions have been made to the detailed engineering design, boundary treatments and landscape proposals associated with Plot 7.

These amendments provide a clearer understanding of the proposed relationship between Plot 7, No. 22 Whalley Road, the retaining structures and the surrounding landscape. The revised application also includes updated arboricultural information and a more detailed explanation of the proposed engineering and landscape strategy than was previously available.

However, the Inspector's concern did not relate to any single element of the proposal. It arose from the cumulative effect of the significant level difference, substantial retaining structure, close-boarded fence, limited separation distance, removal of existing trees within the application site and reliance upon vegetation outside the applicant's control to soften views of the development.

Whilst aspects of the engineering design and supporting evidence have been refined, no evidence has been identified demonstrating that this combination of factors has been materially altered. The revised drawings continue to demonstrate elevated development platforms, substantial retaining structures and close relationships with neighbouring boundaries, whilst the revised arboricultural evidence does not demonstrate that the Inspector's concerns regarding tree loss and reliance upon neighbouring vegetation have been fundamentally overcome.

Evidence-based Conclusion

Paragraph 20 represents one of the Inspector's principal findings of harm and is directed towards the specific relationship between Plot 7 and No. 22 Whalley Road. The Inspector concluded that the combined effect of the proposed land levels, retaining structures, boundary treatment, limited separation distance and loss of existing trees would result in a cramped and incongruous form of development that would be out of character with the prevailing pattern of development.

The revised application provides considerably more detailed engineering, landscape and arboricultural information than was available at the appeal and demonstrates refinement of the proposed engineering solution. However, the comparative review does not identify any fundamental alteration to the physical relationship that formed the basis of the Inspector's planning judgement. The revised proposal continues to rely upon substantial engineering intervention and landscape mitigation to accommodate development in this location, and no evidence has been identified demonstrating that the cumulative concerns identified by the Inspector have been objectively overcome.

Outcome ✗ Not Addressed

Reason: The revised application provides additional technical information and refines elements of the engineering, landscape and arboricultural strategy relating to Plot 7. These amendments improve the clarity of the submitted proposals and provide a more comprehensive explanation of the intended design approach.

However, the Inspector's concern arose from the combined effect of several interrelated factors rather than any individual design element. The comparative review has identified no evidence demonstrating that the significant level difference, substantial retaining structure, limited separation distance, relationship with neighbouring boundaries, loss of existing trees or continued reliance upon vegetation outside the applicant's control have been materially altered so as to overcome the Inspector's conclusions. Accordingly, the specific concerns identified in Paragraph 20 are considered not to have been addressed.

Paragraph 21

Inspector's Point

21. Turning to Plot 28, the proposed plans indicate a 2m and 3m high retaining structure surrounding the curved rear/side garden of Plot 28 with the driveway for Plot 11 adjacent at lower level, together with an additional screen fence/wall above. On the basis of this information, this could result in an overbearingly high boundary feature which would be highly visible forward of the building line of Plots 7 to 11 and would face towards a pedestrian route and open space.

Summary

The Inspector identifies concerns regarding the relationship between Plots 28 and 11, concluding that the proposed retaining structures and boundary treatment could create an overbearing and visually prominent feature adjacent to the public realm.

Initial Thoughts

- The Inspector identifies another specific example where the engineering solution results in unacceptable visual effects.
- Her concern relates to the cumulative impact of retaining walls, boundary treatment and changes in level rather than a single feature.
- The Inspector considers the engineered features would be overbearing when viewed from the adjoining pedestrian route and open space.
- This is another site-specific finding where the relationship between the development and the public realm is central to his planning judgement.
- Has Plot 28 been amended, and if so, do those amendments satisfactorily address the Inspector's concerns?
- Does the revised proposal reduce the cumulative height and visual prominence of the retaining structures and boundary treatments?
- Have the revised engineering works altered the relationship between Plot 28, Plot 11, the pedestrian route and adjoining open space?
- Do the revised application documents explain how the Inspector's concerns have been addressed, and is that explanation supported by the drawings?

Additional Research Questions

Plot 28

- Has Plot 28 been repositioned or redesigned since the appeal?
- Have the retaining structures been reduced in height or extent?
- Has the relationship between Plot 28, Plot 11 and the adjoining pedestrian route changed?
- Have the proposed boundary treatments been amended?

Engineering and Levels

- Have the finished levels around Plot 28 been altered?
- Have the retaining walls and associated fencing been redesigned?
- Does the revised proposal reduce the cumulative height and visual prominence of the engineered features?

Public Realm

- Does the revised proposal improve the relationship between the development and the adjacent pedestrian route?
- Has the visual impact on the adjoining open space been reduced?
- Do the revised drawings demonstrate that this part of the development is no longer overbearing when viewed from the public realm?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement specifically explain how the Inspector's concerns regarding Plot 28 have been addressed?
- Does the Explanation of Key Changes identify amendments to this area of the site?
- Are those changes supported by the revised drawings, engineering information and site sections?

General Observation

Paragraph 21 represents a further site-specific example of the Inspector's concerns regarding the cumulative impact of the proposed engineering strategy. Unlike Paragraph 20, which focused primarily upon the relationship between Plot 7 and an adjoining residential property, Paragraph 21 considers the visual effect of engineered features upon the public realm. The Inspector concluded that the combination of retaining structures, changes in level and boundary treatment surrounding Plot 28 would create an overbearing and visually prominent feature that would be experienced from the adjoining pedestrian route and open space.

The Inspector's concern was not directed towards the retaining structures alone, but to their cumulative height, prominence and relationship with surrounding public areas. The revised application should therefore be assessed to determine whether amendments to Plot 28, the associated retaining walls, finished levels and boundary treatments have materially reduced the visual prominence of these engineered features or whether they continue to dominate the adjoining public realm.

Particular consideration should be given to whether the revised engineering strategy alters the relationship between Plot 28, Plot 11, the pedestrian route and adjacent open space, and whether the cumulative height of retaining walls, fences and level changes has been reduced. Where the revised proposal continues to rely upon substantial engineered features in prominent public-facing locations, the applicant should demonstrate that these no longer result in the overbearing relationship identified by the Inspector. In the absence of clear evidence demonstrating such change, the Inspector's concern regarding the visual impact of this part of the development may remain.

Review of Submitted Evidence

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 21

The amended Proposed Site Layouts provide the primary evidence for assessing whether Plot 28 has been repositioned or redesigned following the dismissed appeal. They illustrate the spatial relationship between Plot 28, Plot 11, the adjoining pedestrian route and open space, and enable comparison with the appeal layouts to establish whether the revised proposal materially alters the prominent public-facing relationship identified by the Inspector.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 21

The amended Proposed Site Sections illustrate the relationship between the proposed dwellings, existing and finished ground levels, retaining structures and surrounding public areas. They provide evidence of whether changes to the levels around Plot 28 reduce the apparent height and prominence of the engineered features when experienced from the pedestrian route and adjoining open space.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 21

The amended Retaining Wall Sections provide detailed evidence of the height, form and configuration of the retaining structures required around Plot 28. They enable assessment of whether the 2-metre and 3-metre retaining structures identified by the Inspector have been reduced, relocated or otherwise redesigned, and whether the cumulative height of retaining walls and boundary treatments remains capable of producing an overbearing public-facing feature.

Documents 65/66 – Amended Schematic Finished Levels

Relevant to Paragraph 21

The amended Schematic Finished Levels illustrate the proposed development platforms, driveway levels, garden levels and retaining features surrounding Plots 28 and 11. They provide evidence of whether the revised engineering strategy reduces the difference in levels between Plot 28, the adjacent driveway and the public realm, or whether substantial engineered level changes remain necessary.

Documents 18–22 – Amended External Works Sheets 1–5

Relevant to Paragraph 21

The amended External Works drawings provide detailed evidence of the relationship between finished levels, retaining walls, garden arrangements, pedestrian routes and boundary treatments. They assist in determining whether the revised proposal has reduced the cumulative impact of the engineered features or whether retaining walls and associated fencing continue to occupy a visually prominent position adjacent to the pedestrian route and open space.

Document 39 – Amended Proposed Boundary Treatment Plan

Relevant to Paragraph 21

The amended Boundary Treatment Plan identifies the proposed fencing, walls and other boundary treatments associated with Plot 28 and the adjoining public realm. It provides evidence of whether the screen fence or wall above the retaining structure has been amended and whether the combined height and form of the proposed boundary treatment would remain visually prominent when viewed from the pedestrian route and open space.

Document 49 – Amended Proposed Sectional Elevations

Relevant to Paragraph 21

The amended Proposed Sectional Elevations illustrate the intended appearance of the development and its relationship with the surrounding landform. They provide contextual evidence of how the applicant presents the revised engineering and boundary treatments, although they should be assessed alongside the technical level and retaining-wall drawings to determine whether the illustrated appearance accurately reflects the cumulative scale of the engineered features.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 21

The amended Landscape Masterplan illustrates the proposed planting, open space and pedestrian connections surrounding Plot 28. It provides evidence of whether landscape mitigation has been introduced or strengthened to soften the retaining structures and boundary treatments, and whether sufficient space exists between the engineered features and the public route to establish meaningful planting.

Documents 27/28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 21

The amended Landscape and Visual Impact Assessment considers the visual effects of the revised development upon users of the site and surrounding landscape. It provides evidence of whether the applicant has assessed the particular visual relationship between Plot 28, the pedestrian route and open space, and whether the mitigation relied upon is capable of reducing the prominence of the retaining structures over time.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 21

The amended Design and Access Statement explains the applicant’s design rationale for the revised layout, public realm and engineering strategy. It provides evidence of whether the applicant specifically addresses the relationship between Plot 28, Plot 11 and the adjoining pedestrian route and whether the stated design objectives are reflected in the revised drawings.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 21

The Explanation of Key Changes identifies amendments made following the dismissed appeal, including revisions to garden gradients, retaining walls, finished levels and the layout. It provides evidence of whether the applicant expressly relies upon changes to Plot 28 or the surrounding engineering works as addressing the Inspector’s findings and should be compared with the drawings to determine whether those changes materially reduce the cumulative visual impact.

Document 119 – Planning Statement

Relevant to Paragraph 21

The Planning Statement sets out the applicant’s planning case for the revised proposal and explains how the scheme is intended to respond to the appeal decision. It provides evidence of whether the applicant specifically addresses the Inspector’s concern regarding Plot 28 and whether any claimed improvement in the relationship with the public realm is supported by the submitted technical information.

Secondary Documents

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority’s assessment of the revised engineering works, boundary treatment and public-realm relationship around Plot 28. It provides evidence of whether officers consider the revisions to have overcome the Inspector’s concern that the retaining structures and screen treatment could create an overbearing and visually prominent feature.

Comparative Appeal Documents

Documents 241/242 – Appeal Proposed Site Layout

The appeal layouts provide the baseline for comparing the position and arrangement of Plots 28 and 11, the pedestrian route, open space and surrounding engineering works.

Document 195 – Appeal Coloured Sections

The appeal coloured sections illustrate the previous relationship between development platforms, retaining features and adjoining land. They assist in establishing whether the revised levels and engineering strategy represent a material improvement or refinement of the appeal arrangement.

Document 244 – Appeal Boundary Treatment Plan

The appeal Boundary Treatment Plan provides comparative evidence of the fencing and wall treatments previously proposed around Plot 28 and assists in determining whether the cumulative boundary height has materially changed.

Document 302 – Appeal Proposed Sectional Elevations

The appeal sectional elevations provide comparative visual evidence of the intended appearance of the development and the prominence of engineered features before the current amendments.

Document 250 – Appeal Statement of Case – Design

The appeal Design Statement provides the applicant's previous justification for the layout and engineering response and establishes the design case considered by the Inspector.

Document 251 – Appeal Statement of Case – Landscape

The appeal Landscape Statement provides the previous assessment of landscape and visual effects and the mitigation relied upon at appeal, allowing the current landscape case to be tested against the evidence previously considered by the Inspector.

Document 246 – Appeal Decision

The Appeal Decision provides the governing finding against which the revised evidence must be assessed: whether the amended scheme has materially overcome the Inspector's concern regarding the overbearing and visually prominent relationship between Plot 28 and the adjoining public realm.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has specifically addressed the Inspector's concerns regarding Plot 28 and its relationship with Plot 11, the adjoining pedestrian route and the adjacent open space following the dismissed appeal. Particular consideration has been given to whether amendments to the proposed layout, finished levels, retaining structures, boundary treatments and landscape proposals materially reduce the cumulative height, visual prominence and overbearing character of the engineered features identified by the Inspector.

The review also considers whether the revised engineering strategy has altered the relationship between the proposed development and the public realm by reducing the prominence of retaining walls, screen fencing and associated level changes when viewed from publicly accessible areas. Comparative assessment has been undertaken against the appeal proposals to determine whether the revised scheme represents a fundamental design change or whether it continues to rely upon the same engineering approach that previously gave rise to the Inspector's concerns. The assessment is evidence-led and considers the submitted drawings, engineering information, landscape proposals and supporting planning documents collectively to determine whether the Inspector's specific concerns relating to Plot 28 have been objectively overcome.

Documents Reviewed

Primary Documents

- 50/55 – Amended Proposed Site Layout
- 56–58 – Amended Proposed Site Sections
- 61/62 – Amended Retaining Wall Sections
- 65/66 – Amended Schematic Finished Levels
- 18–22 – Amended External Works Sheets 1–5
- 24 – Amended Landscape Masterplan
- 39 – Amended Proposed Boundary Treatment Plan
- 49 – Amended Proposed Sectional Elevations

Secondary Documents

- 13/14 – Amended Design and Access Statement
- 27/28 – Amended Landscape and Visual Impact Assessment
- 87 – Explanation of Key Changes
- 119 – Planning Statement
- 75 – Committee Report

Comparative Appeal Documents

195 – Appeal Coloured Sections

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

244 – Appeal Boundary Treatment Plan

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

302 – Appeal Proposed Sectional Elevations

Assessment against Research Questions

Research Question

Evidence-based Answer

Has Plot 28 been repositioned or redesigned since the appeal?

Comparison of the amended Proposed Site Layouts with the appeal layouts demonstrates that revisions have been made to the detailed arrangement surrounding Plot 28. However, no evidence has been identified demonstrating that Plot 28 has been fundamentally repositioned or redesigned in a manner that materially alters the relationship with Plot 11, the adjoining pedestrian route or the adjacent open space.

Have the retaining structures been reduced in height or extent?

The amended Retaining Wall Sections demonstrate revisions to the engineering design surrounding Plot 28. Whilst detailed amendments have been made, no evidence has been identified demonstrating that the cumulative height or overall extent of the retaining structures has been materially reduced.

Research Question

Evidence-based Answer

Has the relationship between Plot 28, Plot 11 and the adjoining pedestrian route changed?

The amended Site Layout and engineering drawings indicate revisions to the detailed layout. However, the submitted evidence does not demonstrate that the overall relationship between Plot 28, Plot 11 and the adjoining pedestrian route has been fundamentally altered from that considered by the Inspector.

Have the proposed boundary treatments been amended?

Yes. The revised Boundary Treatment Plan identifies amendments to the proposed fencing and boundary treatments associated with Plot 28. These changes provide greater clarity regarding the intended boundary design but do not, in themselves, demonstrate that the cumulative visual impact identified by the Inspector has been overcome.

Have the finished levels around Plot 28 been altered?

The amended Finished Levels and Proposed Site Sections demonstrate revisions to development platforms and surrounding land levels. However, no evidence has been identified demonstrating that these changes materially reduce the engineered relationship between Plot 28, Plot 11 and the adjoining public realm.

Have the retaining walls and associated fencing been redesigned?

Yes. The revised engineering drawings demonstrate amendments to the configuration of retaining structures and associated boundary treatments. However, these represent refinements to the engineering solution rather than a fundamental redesign that removes the cumulative prominence of the engineered features.

Does the revised proposal reduce the cumulative height of engineered features?

No evidence has been identified demonstrating that the cumulative height created by retaining walls, boundary treatments and level differences has been materially reduced. The revised proposal continues to rely upon substantial engineered features to accommodate the site's topography.

Does the revised proposal improve the relationship between the development and the adjacent pedestrian route?

The revised application includes amendments to layout, engineering works and landscape proposals adjacent to the pedestrian route. However, the submitted evidence does not demonstrate that the relationship between the engineered features and the public route has been materially improved such that the Inspector's concern is overcome.

Research Question

Has the visual impact on the adjoining open space been reduced?

Evidence-based Answer

The revised Landscape Masterplan and Landscape and Visual Impact Assessment propose strengthened landscape mitigation adjacent to the open space. Whilst these revisions may assist in softening the development over time, no evidence has been identified demonstrating that the immediate visual prominence of the engineered features has been materially reduced.

Do the revised drawings demonstrate that this part of the development is no longer overbearing?

No. Collectively, the amended Site Layout, Site Sections, Retaining Wall Sections, Finished Levels, Boundary Treatment Plan and supporting documents provide more comprehensive technical information than was available at the appeal. However, no evidence has been identified demonstrating that the cumulative relationship between retaining structures, boundary treatments and level changes no longer creates the overbearing relationship identified by the Inspector.

Do the revised Design and Access Statement or Planning Statement specifically explain how the Inspector's concerns regarding Plot 28 have been addressed?

Yes. The Design and Access Statement and Planning Statement explain the applicant's revised engineering and design approach and identify amendments made following the appeal. However, the supporting narrative is not, in itself, evidence that the Inspector's concerns have been overcome and should be considered alongside the revised drawings.

Does the Explanation of Key Changes identify amendments to this area of the site?

Yes. The Explanation of Key Changes identifies amendments affecting engineering works, retaining structures, levels and associated design changes. It demonstrates that this part of the site has been reviewed following the appeal but does not, in itself, demonstrate that the Inspector's concerns have been resolved.

Are those changes supported by the revised drawings and sections?

Yes. The revised drawings illustrate the amendments described within the supporting documents and provide a clearer understanding of the revised engineering strategy. However, the comparative evidence does not demonstrate that these revisions materially alter the physical relationships which formed the basis of the Inspector's conclusions.

Principal Question

Has the applicant demonstrated that the revised proposals overcome the Inspector's concerns regarding Plot 28, and do the revised engineering works and boundary treatments provide an acceptable relationship with the surrounding public realm?

Evidence-based Answer

The revised application provides substantially more detailed engineering, landscape and design information than was available at the appeal. Comparison of the amended Proposed Site Layout, Site Sections, Retaining Wall Sections, Finished Levels, Boundary Treatment Plan, Landscape Masterplan and supporting planning documents demonstrates that amendments have been made to the engineering design, retaining structures, boundary treatments and landscape proposals associated with Plot 28.

These revisions provide a clearer understanding of the proposed relationship between Plot 28, Plot 11, the adjoining pedestrian route and the adjacent open space. The revised application also provides a more comprehensive explanation of the proposed engineering and landscape strategy than was previously available.

However, the Inspector's concern did not relate to any individual engineering feature. It arose from the cumulative effect of the retaining structures, associated boundary treatment, changes in level and their prominent relationship with the adjoining pedestrian route and open space. Whilst aspects of the engineering design have been refined, no evidence has been identified demonstrating that this cumulative relationship has been materially altered.

The revised drawings continue to demonstrate substantial engineered features located adjacent to publicly accessible areas, and the submitted evidence does not demonstrate that the cumulative height, visual prominence or overbearing relationship identified by the Inspector have been fundamentally reduced. Accordingly, the applicant has strengthened the supporting evidence but has not objectively demonstrated that the Inspector's concern has been overcome.

Evidence-based Conclusion

Paragraph 21 represents a further site-specific example of the Inspector's concern regarding the cumulative visual impact of the proposed engineering strategy. Unlike Paragraph 20, which focused upon the relationship with an adjoining residential property, Paragraph 21 considers the effect of substantial retaining structures and associated boundary treatments upon the public realm.

The revised application provides considerably more detailed engineering, landscape and supporting information than was available at the appeal and demonstrates refinement of the proposed engineering solution. However, the comparative review does not identify any fundamental alteration to the relationship between Plot 28, the retaining structures, boundary treatments and the adjoining pedestrian route and open space.

Although the supporting evidence is more comprehensive than that presented at appeal, no evidence has been identified demonstrating that the cumulative prominence or overbearing character of the engineered features identified by the Inspector have been materially reduced. Accordingly, the Inspector's concern has not been objectively overcome.

Outcome ✗ Not Addressed

Reason:

The revised application provides additional engineering, landscape and design information and refines elements of the retaining structures, boundary treatments and associated landscape proposals surrounding Plot 28. These amendments improve the clarity of the submitted proposals and provide a more comprehensive explanation of the intended engineering strategy.

However, the Inspector's concern arose from the cumulative impact of the retaining structures, boundary treatments, changes in level and their relationship with the adjoining pedestrian route and open space rather than any individual design element. The comparative review has identified no evidence demonstrating that the cumulative height, visual prominence or overbearing relationship identified by the Inspector have been materially altered. Accordingly, the revised proposal does not objectively demonstrate that this specific concern has been overcome and is therefore considered not addressed.

Paragraph 22

Inspector's Point

22. Plots 54, 64 and 65 would be sited close to the central eastern boundary of the site and the land re-profiled with tall retaining features to accommodate the plots. However, the layout would fail to provide a sufficient landscape belt to define the settlement edge and provide an appropriate transition between built development and the open countryside in this area. PRoW 25 runs along the boundary of the site directly parallel with these plot boundaries on the opposite side of the drystone boundary wall. Due to the small gap, extensive earthworks and the abrupt change in levels, there would be limited opportunity to provide meaningful landscaping in this area, a highly sensitive part of the site.

Summary

The Inspector concludes that Plots 54, 64 and 65 would create an unacceptable relationship with the eastern site boundary. She finds that the combination of extensive earthworks, tall retaining structures and limited space would prevent the provision of a meaningful landscape belt between the development and the adjoining countryside and PRoW 25.

Initial Thoughts

- The Inspector identifies another specific area where the proposed engineering works result in unacceptable landscape and visual effects.
- Her concern extends beyond the retaining structures themselves to the failure to provide an appropriate landscape transition between the settlement edge and the open countryside.

- The Inspector identifies the relationship with PRoW 25 as a key component of this planning judgement.
- This is another site-specific finding where the cumulative impact of engineering works, changes in level and limited landscape space is central to his conclusion.
- Have Plots 54, 64 and 65 been amended, and if so, do those amendments satisfactorily address the Inspector's concerns?
- Do the revised proposals now provide a meaningful landscape buffer between the development, PRoW 25 and the open countryside?
- Has the revised engineering strategy reduced the extent of earthworks, retaining structures and abrupt level changes within this highly sensitive location?
- Do the revised application documents explain how the Inspector's concerns have been addressed, and is that explanation supported by the drawings?

Additional Research Questions

Plots 54, 64 and 65

- Have these plots been repositioned, redesigned or removed?
- Have the finished levels or retaining structures been amended?
- Has the relationship with the eastern boundary changed?

Landscape Buffer

- Has the width of the landscape belt increased?
- Is sufficient space now available to establish meaningful planting?
- Does the revised Landscape Masterplan demonstrate a stronger transition between the development and the open countryside?

- Does the revised proposal better define the settlement edge?

PRoW 25

- Has the relationship between the development and PRoW 25 improved?
- Have the revised proposals reduced the visual impact experienced by users of PRoW 25?
- Does the revised proposal continue to rely on limited planting within a constrained corridor?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement specifically explain how the Inspector's concerns regarding this part of the site have been addressed?
- Does the Explanation of Key Changes identify amendments affecting Plots 54, 64 and 65?
- Are those changes reflected consistently within the revised layout, engineering drawings, site sections and landscape proposals?

General Observation

Paragraph 22 represents one of the Inspector's principal findings regarding the eastern edge of the site and the relationship between the proposed development, PRoW 25 and the surrounding countryside. Unlike the previous paragraphs, which focused primarily upon the effects of engineering works on neighbouring residential properties or the public realm within the development, the Inspector's concern here extends to the wider landscape setting and the ability of the development to provide an appropriate transition between the settlement edge and the open countryside.

The Inspector's concern was not directed solely towards the proposed retaining structures or earthworks, but to their cumulative effect in a highly sensitive location. She concluded that the combination of extensive land re-profiling, tall retaining structures, abrupt changes in level and the limited space available for planting would prevent the creation of a meaningful landscape belt capable of defining the settlement edge and protecting the character of PRoW 25.

The revised application should therefore be assessed to determine whether amendments to Plots 54, 64 and 65, the associated engineering works and the landscape strategy have materially improved the relationship between the development, the eastern site boundary and PRoW 25. Particular consideration should be given to whether the revised proposals now provide sufficient space to establish a meaningful and enduring landscape buffer that creates an appropriate transition between the built form and the adjoining countryside.

The assessment should also consider whether the revised engineering strategy has reduced the extent of earthworks, retaining structures and abrupt level changes within this highly sensitive part of the site, or whether the revised proposal continues to rely upon the same fundamental engineering approach identified by the Inspector. In the absence of clear evidence demonstrating a materially improved landscape transition, the Inspector's concern regarding the eastern settlement edge may remain.

Review of Submitted Evidence

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 22

The amended Landscape Masterplan provides the principal evidence for assessing the proposed landscape buffer along the eastern boundary of the site. It illustrates the relationship between Plots 54, 64 and 65, PRoW 25, structural planting and the adjoining countryside. Comparison with the appeal Landscape Masterplans enables assessment of whether the revised proposals materially increase the landscape belt or provide a more appropriate transition between the built development and the open countryside.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 22

The amended Proposed Site Layouts provide the primary evidence of the relationship between Plots 54, 64 and 65, the eastern site boundary and PRoW 25. They enable comparison with the appeal proposals to determine whether the plots have been repositioned, redesigned or reconfigured to increase separation from the eastern boundary and provide greater opportunity for meaningful landscape mitigation.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 22

The amended Proposed Site Sections illustrate the relationship between the proposed dwellings, existing and finished ground levels, retaining structures and the eastern site boundary. They provide evidence of whether the revised engineering strategy reduces the extent of earthworks, abrupt level changes and retaining structures identified by the Inspector within this highly sensitive part of the site.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 22

The amended Retaining Wall Sections provide detailed evidence of the height, location and configuration of the retaining structures associated with Plots 54, 64 and 65. They enable comparison with the appeal proposals to determine whether the revised engineering strategy materially reduces the prominence of retaining structures adjacent to PRoW 25 and the eastern boundary.

Documents 65/66 – Amended Schematic Finished Levels

Relevant to Paragraph 22

The amended Schematic Finished Levels illustrate the relationship between existing and proposed land levels, engineered development platforms and retaining features along the eastern boundary. They provide evidence of whether the revised proposals reduce the abrupt level changes identified by the Inspector or whether substantial land re-profiling remains necessary.

Documents 18–22 – Amended External Works Sheets 1–5

Relevant to Paragraph 22

The amended External Works drawings provide detailed information regarding earthworks, retaining structures, finished levels and external landscape treatment surrounding Plots 54, 64 and 65. They assist in determining whether the revised engineering works reduce the cumulative visual impact of the development at the settlement edge or whether significant engineered intervention remains necessary.

Documents 27/28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 22

The amended Landscape and Visual Impact Assessment considers the landscape and visual effects arising from the revised proposals along the eastern boundary of the site. It provides evidence of whether the applicant considers the revised landscape strategy capable of creating an appropriate settlement edge and reducing the visual impact experienced by users of PRoW 25 and the surrounding countryside.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 22

The amended Design and Access Statement explains the applicant's design rationale for the revised eastern edge of the development, including the proposed engineering works, landscape strategy and relationship with the surrounding countryside. It provides evidence of whether the applicant specifically addresses the Inspector's concerns regarding Plots 54, 64 and 65.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 22

The Explanation of Key Changes identifies amendments made following the dismissed appeal, including revisions to the layout, engineering works, retaining structures and landscape proposals affecting the eastern boundary. It provides evidence of whether the applicant specifically relies upon these amendments to address the Inspector's findings relating to Plots 54, 64 and 65.

Document 119 – Planning Statement

Relevant to Paragraph 22

The Planning Statement sets out the applicant's planning justification for the revised proposals and explains how the amendments are intended to respond to the appeal decision. It provides evidence of whether the applicant considers the revised landscape strategy and engineering works to have overcome the Inspector's concerns regarding the eastern settlement edge and whether those assertions are supported by the submitted drawings.

Secondary Documents

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised landscape strategy, engineering works and relationship between the proposed development, PRoW 25 and the open countryside. It provides evidence of whether officers consider the revised proposals to have overcome the Inspector's previous concerns regarding the eastern boundary.

Comparative Appeal Documents

Document 230 – Appeal Landscape Masterplan

The appeal Landscape Masterplan provides the baseline against which the revised landscape strategy can be compared, enabling assessment of whether the landscape belt has been materially strengthened.

Documents 241/242 – Appeal Proposed Site Layout

The appeal Site Layouts provide comparative evidence of the position of Plots 54, 64 and 65, their relationship with the eastern boundary and the opportunity for landscape mitigation.

Document 195 – Appeal Coloured Sections

The appeal Coloured Sections provide comparative evidence of the previous engineering solution, retaining structures and level changes along the eastern boundary, assisting in determining whether the revised proposals materially reduce engineering intervention.

Document 250 – Appeal Statement of Case – Design

The appeal Design Statement establishes the applicant's previous design justification considered by the Inspector and provides the baseline against which the revised design approach can be assessed.

Document 251 – Appeal Statement of Case – Landscape

The appeal Landscape Statement provides the previous assessment of the eastern settlement edge, landscape transition and PRoW 25, enabling direct comparison with the revised landscape evidence.

Document 246 – Appeal Decision

The Appeal Decision provides the benchmark against which the revised proposals must be assessed, namely whether the amendments now provide a meaningful landscape belt, reduce the impact of engineering works and create an appropriate transition between the development, PRoW 25 and the open countryside.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has specifically addressed the Inspector's concerns regarding Plots 54, 64 and 65 and their relationship with the eastern site boundary, PRoW 25 and the adjoining open countryside following the dismissed appeal. Particular consideration has been given to whether amendments to the proposed layout, finished levels, retaining structures, landscape proposals and engineering works materially improve the settlement edge and provide sufficient space for a meaningful landscape buffer.

The review also considers whether the revised engineering strategy has reduced the extent of earthworks, retaining structures and abrupt level changes identified by the Inspector within this highly sensitive location. Comparative assessment has been undertaken against the appeal proposals to determine whether the revised scheme provides an appropriate transition between built development and the open countryside, or whether it continues to rely upon the same fundamental engineering approach previously found to be unacceptable.

The assessment is evidence-led and considers the submitted layout drawings, engineering information, landscape evidence and supporting planning documents collectively to determine whether the Inspector's specific concerns relating to Plots 54, 64 and 65, the eastern settlement edge and PRoW 25 have been objectively overcome.

Documents Reviewed

Primary Documents

24 – Amended Landscape Masterplan
50/55 – Amended Proposed Site Layout
56–58 – Amended Proposed Site Sections
61/62 – Amended Retaining Wall Sections
65/66 – Amended Schematic Finished Levels
18–22 – Amended External Works Sheets 1–5
27/28 – Amended Landscape and Visual Impact Assessment

Secondary Documents

13 /14 – Amended Design and Access Statement
87 – Explanation of Key Changes
119 – Planning Statement
75 – Committee Report

Comparative Appeal Documents

195 – Appeal Coloured Sections
230 – Appeal Landscape Masterplan
241/242 – Appeal Proposed Site Layout
246 – Appeal Decision
250 – Appeal Statement of Case – Design
251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Have Plots 54, 64 and 65 been repositioned, redesigned or removed?	Comparison of the amended Proposed Site Layouts with the appeal layouts demonstrates that amendments have been made to the detailed layout surrounding Plots 54, 64 and 65. However, no evidence has been identified demonstrating that these plots have been fundamentally repositioned, redesigned or removed in a manner that materially alters their relationship with the eastern site boundary or PRow 25.
Have the finished levels or retaining structures been amended?	The amended Site Sections, Finished Levels and Retaining Wall Sections demonstrate revisions to the engineering design surrounding Plots 54, 64 and 65. Whilst detailed alterations have been made, no evidence has been identified demonstrating that the substantial land re-profiling or retaining structures identified by the Inspector have been materially reduced.
Has the relationship with the eastern boundary changed?	The revised Site Layout indicates amendments to the detailed arrangement of development along the eastern boundary. However, the submitted evidence does not demonstrate that the overall relationship between the proposed development, the eastern boundary and PRow 25 has been fundamentally altered.
Has the width of the landscape belt increased?	The amended Landscape Masterplan indicates revisions to the proposed landscape buffer and structural planting. However, no evidence has been identified demonstrating that the landscape belt has been materially widened throughout this section of the site or that it now provides the meaningful landscape transition identified by the Inspector.
Is sufficient space now available to establish meaningful planting?	The revised proposals provide a more comprehensive planting strategy than the appeal scheme. Nevertheless, the submitted evidence does not demonstrate that sufficient physical space now exists between the proposed development, retaining structures and PRow 25 to establish and sustain meaningful structural planting throughout this highly sensitive location.

Research Question

Evidence-based Answer

Does the revised Landscape Masterplan demonstrate a stronger transition between the development and the open countryside?

The revised Landscape Masterplan strengthens the proposed planting strategy and provides additional detail regarding landscape treatment. However, no evidence has been identified demonstrating that the revised proposals create a materially stronger transition between the built development and the open countryside than that considered by the Inspector.

Does the revised proposal better define the settlement edge?

The applicant has refined the landscape strategy and engineering proposals along the eastern boundary. However, the revised evidence does not demonstrate that the settlement edge has been fundamentally redefined or that the relationship with the adjoining countryside has been materially improved.

Has the relationship between the development and PRoW 25 improved?

The revised proposals include amendments to the layout, engineering works and landscape strategy adjacent to PRoW 25. However, no evidence has been identified demonstrating that the physical relationship between the development and the public right of way has been materially altered or that the Inspector's concern has been overcome.

Have the revised proposals reduced the visual impact experienced by users of PRoW 25?

The amended Landscape and Visual Impact Assessment concludes that the revised landscape strategy will soften views over time. However, the submitted evidence continues to demonstrate substantial engineering works, retaining structures and abrupt level changes adjacent to PRoW 25, and no evidence has been identified demonstrating that the visual impact has been materially reduced.

Does the revised proposal continue to rely on limited planting within a constrained corridor?

Yes. The revised landscape proposals continue to rely upon planting within a relatively constrained corridor between the proposed development, retaining structures and the eastern boundary. No evidence has been identified demonstrating that this fundamental relationship has materially changed since the appeal.

Do the revised Design and Access Statement or Planning Statement specifically explain how the Inspector's concerns regarding this part of the site have been addressed?

Yes. The Design and Access Statement and Planning Statement explain the applicant's revised landscape and engineering strategy and identify amendments made following the appeal. However, these supporting documents do not, in themselves, demonstrate that the Inspector's concerns have been overcome and should be considered alongside the revised drawings.

Research Question

Does the Explanation of Key Changes identify amendments affecting Plots 54, 64 and 65?

Are those changes reflected consistently within the revised layout, engineering drawings, site sections and landscape proposals?

Evidence-based Answer

Yes. The Explanation of Key Changes identifies revisions to the layout, engineering works, retaining structures and landscape proposals affecting the eastern boundary. It demonstrates that this area has been reviewed following the appeal but does not, in itself, demonstrate that the Inspector's concerns have been resolved.

Yes. The revised drawings consistently illustrate the amendments described within the supporting documents and provide a clearer understanding of the revised engineering and landscape strategy. However, the comparative review does not identify any fundamental alteration to the physical relationships that formed the basis of the Inspector's conclusions regarding the eastern settlement edge and PRoW 25.

Principal Question

Has the applicant demonstrated that the revised proposals overcome the Inspector's concerns regarding Plots 54, 64 and 65 by providing an appropriate landscape buffer, reducing the impact of engineering works and creating a satisfactory transition between the development, PRoW 25 and the open countryside?

Evidence-based Answer

The revised application provides substantially more detailed landscape, engineering and design information than was available at the appeal. Comparison of the amended Landscape Masterplan, Proposed Site Layout, Site Sections, Retaining Wall Sections, Finished Levels and supporting planning documents demonstrates that amendments have been made to the layout, engineering works and landscape strategy affecting Plots 54, 64 and 65 and the eastern boundary of the site.

These revisions provide a clearer understanding of the proposed relationship between the development, PRoW 25 and the adjoining countryside. The revised application also presents a more comprehensive landscape strategy and provides additional information regarding structural planting, settlement edge treatment and the proposed engineering works.

However, the Inspector's concern was not simply the presence of retaining structures or earthworks in this location. Her concern arose from the cumulative effect of extensive land re-profiling, tall retaining structures, limited opportunity for meaningful planting and the resulting failure to create an appropriate transition between the settlement edge, PRoW 25 and the open countryside.

Whilst the revised application refines aspects of the engineering and landscape strategy, no evidence has been identified demonstrating that these cumulative relationships have been materially altered. The revised proposals continue to rely upon substantial engineering works and landscape mitigation within a constrained corridor, and the submitted evidence does not demonstrate that a meaningful and enduring landscape buffer has been achieved.

Evidence-based Conclusion

Paragraph 22 represents one of the Inspector's principal findings regarding the eastern settlement edge and the relationship between the proposed development, PRoW 25 and the surrounding countryside. The Inspector concluded that the combination of extensive earthworks, retaining structures and limited space for landscape planting prevented the creation of an appropriate landscape transition within this highly sensitive part of the site.

The revised application provides considerably more detailed landscape, engineering and supporting information than was available at the appeal and demonstrates refinement of the proposed engineering and planting strategy. However, the comparative review does not identify any fundamental alteration to the relationship between Plots 54, 64 and 65, the eastern site boundary, PRoW 25 and the adjoining countryside.

Although the supporting evidence is more comprehensive than that presented at appeal, no evidence has been identified demonstrating that the revised proposals now provide a sufficiently wide landscape belt, materially reduce the extent of engineering intervention or create the appropriate settlement edge identified by the Inspector. Accordingly, the Inspector's concerns regarding this highly sensitive location have not been objectively overcome.

Outcome ✗ Not Addressed

Reason: The revised application provides additional landscape, engineering and design information together with revisions to the layout, structural planting and engineering strategy affecting the eastern boundary of the site. These amendments improve the clarity of the submitted proposals and provide a more comprehensive explanation of the intended relationship between the development, PRoW 25 and the surrounding countryside.

However, the Inspector's concern arose from the cumulative impact of the proposed development upon the eastern settlement edge, including the limited landscape buffer, extensive engineering works, retaining structures and constrained relationship with PRoW 25. The comparative review has identified no evidence demonstrating that these fundamental relationships have been materially altered or that the revised proposals now provide the meaningful landscape transition identified by the Inspector. Accordingly, the revised proposal does not objectively demonstrate that this specific concern has been overcome and is therefore considered not addressed.

Paragraph 23

Inspector's Point

23. Whilst gardens and driveways that incorporate retaining features are evident along Wilpshire Banks and Whalley Road, I observed these assimilated within the landscape due to set backs from the road and/or stepped retaining features. That would not be the case relating to the above plots, which would be more prominent. I also observed the harmful effect that significant sized retaining walls have at the interface between urban and rural area where there is an absence of a landscape buffer, as I saw at 22 and 24 Hollowhead Avenue.

Summary

The Inspector distinguishes the proposed development from existing examples of retaining structures in the area. She concludes that, unlike those examples, the proposed retaining walls would be more visually prominent due to the lack of setbacks and landscape buffering, and notes that she observed comparable harmful effects at 22 and 24 Hollowhead Avenue.

Initial Thoughts

- The Inspector accepts that retaining walls are an established feature within the local area and can form an acceptable component of the streetscape where they are successfully assimilated into the surrounding landscape.
- Her concern is not the presence of retaining structures themselves, but their prominence, limited setbacks and the absence of an effective landscape buffer.
- The Inspector distinguishes the revised proposals from successful local examples on Wilpshire Banks and Whalley Road, and instead compares them with the harmful relationship observed at 22 and 24 Hollowhead Avenue.
- This paragraph therefore focuses upon comparative design quality rather than simply the engineering works themselves.
- Have the relevant plots been amended, and if so, do those amendments satisfactorily address the Inspector's concerns?
- Do the revised proposals now provide greater setbacks, stepped retaining features or a more effective landscape buffer capable of assimilating the retaining structures into the landscape?

- Has the revised engineering strategy reduced the visual prominence of the retaining structures when viewed from surrounding public areas and the adjoining countryside?
- Do the revised application documents explain how the Inspector's comparative assessment has been addressed, and is that explanation supported by the submitted drawings?

Additional Research Questions

Retaining Structures

- Have the retaining walls associated with the relevant plots been reduced in height, extent or visual prominence?
- Have setbacks or stepped retaining features been introduced?
- Does the revised proposal better assimilate the retaining structures into the surrounding landscape?

Landscape Buffer

- Has the landscape buffer been widened or strengthened?
- Does the revised Landscape Masterplan demonstrate a more effective transition between the built development and the countryside?
- Is there now sufficient planting to reduce the visual prominence of the retaining structures?

Applicant's Response

- Do the revised Design and Access Statement or Planning Statement specifically address the Inspector's findings in this paragraph?
- Does the Explanation of Key Changes identify amendments intended to overcome these concerns?
- Are those amendments reflected consistently within the revised drawings, engineering information and landscape proposals?

Comparative Assessment

- Do the revised proposals now more closely resemble the successful retaining wall relationships observed on Wilpshire Banks and Whalley Road?
- Do they continue to display the characteristics that led the Inspector to identify harm at 22 and 24 Hollowhead Avenue?
- Has the revised proposal materially reduced the visual prominence of retaining structures at the settlement edge?
- Does the revised proposal now demonstrate that the retaining structures are successfully assimilated into the surrounding landscape?

General Observation

Paragraph 23 develops the Inspector's assessment beyond the engineering requirements of the site and considers whether the proposed retaining structures would successfully assimilate into the surrounding townscape and landscape. The Inspector accepts that retaining walls are not inherently harmful and recognises that they are an established characteristic of development along Wilpshire Banks and Whalley Road. However, she distinguishes those examples from the proposed development on the basis that the existing retaining features benefit from setbacks, stepped construction and landscape planting which reduce their visual prominence.

The Inspector's concern is therefore one of comparative design quality rather than the simple presence of retaining structures. She concludes that the proposed retaining walls associated with the development would remain more visually prominent because of the limited opportunity for landscape buffering and their relationship with the settlement edge. She reinforces this conclusion by drawing a direct comparison with the harmful visual effects observed at 22 and 24 Hollowhead Avenue, where significant retaining walls similarly occupy the interface between the urban area and the open countryside.

The revised application should therefore be assessed to determine whether amendments to the proposed layout, engineering works and landscape strategy have materially reduced the prominence of the retaining structures and whether the revised proposals now more closely resemble the successful local examples identified by the Inspector. Particular consideration should be given to whether meaningful setbacks, stepped retaining features or strengthened landscape buffers have been introduced to assimilate the engineered features into the surrounding landscape.

The assessment should also consider whether the revised proposals continue to exhibit the characteristics that led the Inspector to identify harm at 22 and 24 Hollowhead Avenue. In the absence of clear evidence demonstrating that the retaining structures are now successfully assimilated into the landscape and that an appropriate transition has been created at the settlement edge, the Inspector's concerns regarding their visual prominence may remain.

Review of Submitted Evidence

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 23

The amended Landscape Masterplan provides the principal evidence for assessing whether the revised proposals provide a stronger landscape framework capable of assimilating the retaining structures into the surrounding landscape. Comparison with the appeal Landscape Masterplans enables assessment of whether the landscape buffer has been strengthened and whether the revised proposals create a more appropriate transition between the development and the open countryside.

Documents 27 / 28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 23

The amended Landscape and Visual Impact Assessment considers the landscape and visual effects arising from the revised engineering works and retaining structures. It provides evidence of whether the applicant considers the revised landscape strategy capable of reducing the prominence of the retaining structures and whether the revised proposals now more closely reflect the successful local examples identified by the Inspector.

Documents 50 / 55 – Amended Proposed Site Layout

Relevant to Paragraph 23

The amended Proposed Site Layouts provide the primary evidence of the relationship between the proposed retaining structures, the surrounding plots, the eastern settlement edge and adjoining landscape. They enable comparison with the appeal proposals to determine whether increased setbacks, revised plot arrangements or additional landscape space have been introduced to reduce the prominence of the engineered features.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 23

The amended Proposed Site Sections illustrate the relationship between the proposed dwellings, retaining structures, existing landform and adjoining countryside. They provide evidence of whether revisions to levels and engineering works reduce the apparent prominence of the retaining structures and improve their integration within the landscape.

Documents 61 / 62 – Amended Retaining Wall Sections

Relevant to Paragraph 23

The amended Retaining Wall Sections provide detailed evidence of the height, form and configuration of the retaining structures. Comparison with the appeal proposals enables assessment of whether the retaining walls have been reduced in height, broken into stepped sections or otherwise redesigned to reduce their visual prominence.

Documents 18–22 – Amended External Works Sheets 1–5

Relevant to Paragraph 23

The amended External Works drawings provide detailed evidence of the relationship between retaining structures, finished levels, boundary treatments and surrounding landscape. They assist in determining whether the revised engineering strategy provides a more sympathetic relationship with the settlement edge or whether substantial engineered features remain visually dominant.

Documents 13 / 14 – Amended Design and Access Statement

Relevant to Paragraph 23

The amended Design and Access Statement explains the applicant's design rationale for the revised engineering and landscape strategy. It provides evidence of whether the applicant specifically addresses the Inspector's comparison with existing retaining wall examples and whether the revised design seeks to better assimilate engineered features into the surrounding landscape.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 23

The Explanation of Key Changes identifies amendments to retaining structures, landscape proposals and engineering works following the dismissed appeal. It provides evidence of whether the applicant specifically relies upon these amendments to address the Inspector's concerns regarding the prominence of retaining structures and the absence of effective landscape buffering.

Document 119 – Planning Statement

Relevant to Paragraph 23

The Planning Statement sets out the applicant's planning justification for the revised engineering and landscape proposals and explains how the amendments are intended to respond to the appeal decision. It provides evidence of whether the applicant considers the revised proposals comparable with the successful local examples identified by the Inspector and whether those assertions are supported by the submitted drawings.

Secondary Documents

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised retaining structures, landscape strategy and settlement edge. It provides evidence of whether officers consider the revised proposals to have overcome the Inspector's concerns regarding the prominence of the retaining structures and their relationship with the surrounding landscape.

Comparative Appeal Documents

Document 230 – Appeal Landscape Masterplan

The appeal Landscape Masterplan provides the baseline against which the revised landscape strategy can be compared, enabling assessment of whether the revised landscape buffer materially improves the assimilation of the retaining structures.

Documents 241 / 242 – Appeal Proposed Site Layout

The appeal Proposed Site Layouts provide comparative evidence of the original relationship between the retaining structures, proposed development and the settlement edge.

Document 195 – Appeal Coloured Sections

The appeal Coloured Sections provide comparative evidence of the original engineering strategy, retaining wall heights and landform, enabling assessment of whether the revised proposals materially reduce visual prominence.

Document 250 – Appeal Statement of Case – Design

The appeal Design Statement provides the applicant's previous design justification considered by the Inspector and establishes the baseline against which the revised design approach can be assessed.

Document 251 – Appeal Statement of Case – Landscape

The appeal Landscape Statement provides the previous assessment of the landscape strategy and visual effects, allowing direct comparison with the revised landscape evidence.

Document 246 – Appeal Decision

The Appeal Decision provides the benchmark against which the revised proposals must be assessed, namely whether the retaining structures are now successfully assimilated into the landscape and whether the revised proposals more closely resemble the successful local examples identified by the Inspector rather than the harmful relationship observed at 22 and 24 Hollowhead Avenue.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has specifically addressed the Inspector's concerns regarding the visual prominence of the proposed retaining structures and their relationship with the surrounding landscape following the dismissed appeal. Particular consideration has been given to whether amendments to the proposed layout, engineering works, retaining structures, setbacks and landscape proposals materially reduce the prominence of the engineered features and provide a more appropriate transition between the development and the open countryside.

The review also considers whether the revised application now more closely reflects the successful local examples identified by the Inspector along Wilpshire Banks and Whalley Road, where retaining structures are assimilated into the landscape through setbacks, stepped construction and effective planting, or whether it continues to exhibit the characteristics that she considered harmful at 22 and 24 Hollowhead Avenue. Comparative assessment has therefore been undertaken to establish whether the revised proposals materially improve the relationship between the retaining structures, the settlement edge and the surrounding landscape.

The assessment is evidence-led and considers the submitted layout drawings, engineering information, landscape evidence and supporting planning documents collectively to determine whether the Inspector's specific concerns regarding the prominence of the retaining structures and their assimilation into the surrounding landscape have been objectively overcome.

Documents Reviewed

Primary Documents

24 – Amended Landscape Masterplan

26–28 – Amended Landscape and Visual Impact Assessment

50 / 55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

61 / 62 – Amended Retaining Wall Sections

18–22 – Amended External Works Sheets 1–5

Secondary Documents

13 / 14 – Amended Design and Access Statement

87 – Explanation of Key Changes

119 – Planning Statement

75 – Committee Report

Comparative Appeal Documents

195 – Appeal Coloured Sections

230 – Appeal Landscape Masterplan

241 / 242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Have the retaining walls associated with the relevant plots been reduced in height, extent or visual prominence?	The amended Retaining Wall Sections demonstrate revisions to the engineering design and configuration of the retaining structures. However, no evidence has been identified demonstrating that their overall height, extent or visual prominence has been materially reduced.
Have setbacks or stepped retaining features been introduced?	The revised engineering drawings indicate refinements to the retaining wall arrangements and surrounding levels. However, no evidence has been identified demonstrating that meaningful setbacks or stepped retaining features have been introduced to the extent necessary to materially reduce the prominence of the retaining structures.
Does the revised proposal better assimilate the retaining structures into the surrounding landscape?	The revised Landscape Masterplan introduces amendments to the structural planting and landscape strategy intended to soften the appearance of the retaining structures. However, no evidence has been identified demonstrating that the retaining structures are now successfully assimilated into the surrounding landscape in the manner described by the Inspector in relation to the successful local examples.
Has the landscape buffer been widened or strengthened?	The amended Landscape Masterplan demonstrates revisions to the proposed planting and landscape framework. Whilst the landscape proposals have been refined, no evidence has been identified demonstrating that the landscape buffer has been materially widened or strengthened sufficiently to overcome the Inspector's concerns regarding the settlement edge.
Does the revised Landscape Masterplan demonstrate a more effective transition between the built development and the countryside?	The revised Landscape Masterplan provides a more detailed landscape strategy than the appeal scheme and illustrates additional structural planting. However, the submitted evidence does not demonstrate that the revised proposals now provide the meaningful landscape transition identified by the Inspector.
Is there now sufficient planting to reduce the visual prominence of the retaining structures?	The revised planting proposals strengthen the landscape strategy in several locations. However, the submitted evidence continues to indicate that planting opportunities remain constrained by the proximity of retaining structures, engineered landform and plot boundaries, and no evidence has been identified demonstrating that sufficient planting can be established to materially reduce their visual prominence.

Research Question

Do the revised Design and Access Statement or Planning Statement specifically address the Inspector's findings in this paragraph?

Does the Explanation of Key Changes identify amendments intended to overcome these concerns?

Are those amendments reflected consistently within the revised drawings, engineering information and landscape proposals?

Do the revised proposals now more closely resemble the successful retaining wall relationships observed on Wilpshire Banks and Whalley Road?

Do they continue to display the characteristics that led the Inspector to identify harm at 22 and 24 Hollowhead Avenue?

Has the revised proposal materially reduced the visual prominence of retaining structures at the settlement edge?

Evidence-based Answer

Yes. The Design and Access Statement and Planning Statement explain the revised engineering and landscape strategy and identify amendments made following the appeal. However, these supporting documents do not, in themselves, demonstrate that the Inspector's concerns have been overcome and should be considered alongside the revised technical drawings.

Yes. The Explanation of Key Changes identifies revisions to retaining structures, engineering works and landscape proposals affecting this part of the site. It demonstrates that these matters have been reviewed following the appeal but does not, in itself, demonstrate that the Inspector's concerns have been resolved.

Yes. The revised drawings consistently illustrate the amendments described within the supporting documents and provide a clearer understanding of the revised engineering strategy. However, the comparative review does not identify any fundamental alteration to the physical relationships that formed the basis of the Inspector's conclusions.

The revised proposals refine the engineering and landscape treatment and therefore move incrementally towards the characteristics identified within the successful local examples. However, no evidence has been identified demonstrating that the revised proposals now achieve the combination of setbacks, stepped retaining features and landscape assimilation observed by the Inspector on Wilpshire Banks and Whalley Road.

Based on the submitted drawings and supporting information, the revised proposals continue to display substantial retaining structures, limited landscape buffering and a prominent relationship with the settlement edge. Subject to confirmation through comparative review of the Hollowhead Avenue examples, no evidence has presently been identified demonstrating that these characteristics have been materially removed.

No evidence has been identified demonstrating that the revised engineering strategy materially reduces the cumulative visual prominence of the retaining structures at the settlement edge. Whilst the supporting landscape strategy has been refined, the revised proposals continue to rely upon substantial engineered features within a constrained landscape setting.

Research Question

Does the revised proposal now demonstrate that the retaining structures are successfully assimilated into the surrounding landscape?

Evidence-based Answer

No. Collectively, the amended Landscape Masterplan, engineering drawings and supporting planning documents provide a more comprehensive explanation of the applicant's intended landscape strategy than was available at the appeal. However, no evidence has been identified demonstrating that the retaining structures are now assimilated into the surrounding landscape in a manner comparable with the successful local examples identified by the Inspector.

Comparative Evidence - Retaining Walls at 22 & 24 Hollowhead Avenue



N.B. The retaining walls referred to by the Inspector as examples of the visual effect that substantial retaining structures can have at the settlement edge.





Principal Question

Has the applicant demonstrated that the revised proposal overcomes the Inspector's concerns regarding the prominence of the retaining structures by providing a more effective landscape buffer and a relationship with the surrounding area that is comparable to the successful local examples?

Evidence-based Answer

The revised application provides substantially more detailed landscape, engineering and design information than was available at the appeal. Comparison of the amended Landscape Masterplan, Proposed Site Layout, Site Sections, Retaining Wall Sections and supporting planning documents demonstrates that amendments have been made to the retaining structures, landscape strategy and engineering works associated with the eastern edge of the site.

These revisions provide a clearer understanding of the applicant's intended approach to assimilating the retaining structures into the surrounding landscape. The revised application also includes a more comprehensive landscape strategy together with additional information regarding structural planting, settlement edge treatment and the proposed engineering works.

However, the Inspector accepted that retaining structures are not inherently harmful and identified successful local examples where they are assimilated into the landscape through appropriate setbacks, stepped construction and effective planting. Her concern was that the proposed retaining structures did not exhibit those characteristics and instead remained visually prominent due to limited setbacks and the absence of an effective landscape buffer.

Whilst the revised application refines aspects of the engineering and landscape strategy, no evidence has been identified demonstrating that the retaining structures are now assimilated into the surrounding landscape in a manner comparable with the successful local examples identified by the Inspector. The revised proposals continue to rely upon substantial engineered features and landscape mitigation within a constrained setting, and the submitted evidence does not demonstrate that the Inspector's comparative design concerns have been overcome.

Evidence-based Conclusion

Paragraph 23 represents an important refinement of the Inspector's landscape assessment by distinguishing between retaining structures that are successfully integrated into their surroundings and those that remain visually prominent because of inadequate setbacks and landscape buffering. The Inspector concluded that the proposed development more closely resembled the harmful relationship observed at 22 and 24 Hollowhead Avenue than the successful examples found elsewhere within the local area.

The revised application provides considerably more detailed engineering and landscape information than was available at the appeal and demonstrates refinement of the proposed retaining structures and planting strategy. However, the comparative review does not identify any fundamental alteration to the relationship between the retaining structures, the settlement edge and the surrounding landscape.

Although the supporting information is more comprehensive than that presented at appeal, no evidence has been identified demonstrating that the revised proposals now provide the combination of setbacks, landscape buffering and visual assimilation identified by the Inspector within the successful local examples. Accordingly, the Inspector's comparative design concerns have not been objectively overcome.

Outcome: ❌ Not Addressed

Reason: The revised application provides additional engineering, landscape and design information together with refinements to the retaining structures and associated landscape proposals. These amendments improve the clarity of the submitted proposals and provide a more comprehensive explanation of the applicant's intended approach to landscape integration.

However, the Inspector's concern related not simply to the presence of retaining structures but to their comparative visual relationship with the surrounding landscape. The comparative review has identified no evidence demonstrating that the revised proposals now achieve the level of landscape assimilation, setbacks and visual integration observed within the successful local examples identified by the Inspector. Nor has any evidence been identified demonstrating that the revised proposals no longer exhibit the characteristics that led the Inspector to identify harm at the settlement edge. Accordingly, the revised proposal does not objectively demonstrate that this specific concern has been overcome and is therefore considered not addressed.

Paragraph 31

Inspector's Point

32. The proposal would represent a significant change in character from a largely open, grassed site intersected by two distinct rows of trees with woodland along the southern edge to an estate-type housing development that would occupy a large part of the site. The dwellings would be plainly visible from the surrounding area and would represent a substantial incursion of development into the countryside. It is clear the development of houses on the site would inevitably change the otherwise open pastoral character of this greenfield site. Change arising from development is not synonymous with that equating to harm and change of this nature would be an inevitable consequence of developing the site in accordance with the allocation.

Summary

The Inspector acknowledges that the proposal would fundamentally alter the existing character of the site from open pastoral land to residential development. However, she concludes that such change is an inevitable consequence of developing an allocated housing site and should not automatically be regarded as harmful.

Initial Thoughts

- This is a key paragraph in the Inspector's overall reasoning.
- The Inspector accepts that the proposal would fundamentally change the site's character.
- She distinguishes between inevitable change arising from development and unacceptable planning harm.
- The Inspector accepts that some landscape change is unavoidable because the site is allocated for housing.
- The key issue is therefore whether the revised proposal materially reduces the degree of landscape and visual harm identified elsewhere in the decision.
- Has the revised proposal reduced the extent of engineering works, visual prominence or landscape intrusion?
- Does the revised evidence demonstrate that the development now responds more successfully to the site's topography and landscape character?

Additional Research Questions

Landscape Character

- Does the revised proposal retain more of the site's existing pastoral character?
- Has the overall extent or footprint of built development changed?
- Has the revised proposal reduced the perceived encroachment into the countryside?
- Has the relationship between the development, existing woodland and retained tree belts changed?

Landscape and Visual Effects

- Have the revised engineering works reduced the overall visual impact of the development?
- Do the revised viewpoints and visualisations demonstrate a material reduction in visual prominence?
- Does the revised proposal continue to rely upon extensive retaining structures and landscape mitigation?
- Does the revised Landscape and Visual Impact Assessment demonstrate that the Inspector's earlier concerns have been overcome?

Relationship with Earlier Findings

- Have the concerns identified in Paragraphs 18–23 been materially addressed?
- Does the revised proposal alter the Inspector's overall assessment of landscape character?
- Is there evidence that the revised scheme fundamentally changes the balance between inevitable landscape change and unacceptable landscape harm?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the Inspector's findings in this paragraph have been addressed?
- Are those conclusions supported consistently by the revised drawings, Landscape Masterplan and Landscape and Visual Impact Assessment?

General Observation

Paragraph 31 marks an important transition within the Inspector's reasoning by distinguishing between the inevitable landscape change arising from development of an allocated housing site and planning harm arising from the manner in which that development is accommodated. The Inspector accepts that the site's existing pastoral character would inevitably be replaced by residential development and confirms that such change should not, in itself, be regarded as harmful.

The Inspector's assessment therefore shifts away from the principle of development and instead focuses upon whether the detailed design, engineering works and landscape strategy enable the proposal to integrate successfully within its surroundings. The key question is not whether the landscape would change, but whether the revised proposals materially reduce the landscape and visual effects previously identified elsewhere in the decision.

This paragraph should therefore be considered alongside the Inspector's earlier findings relating to retaining structures, land re-profiling, landscape buffers, settlement edge and PRow 25. Collectively, those findings establish the basis upon which the Inspector distinguished acceptable landscape change from unacceptable planning harm. The revised application should be assessed to determine whether the amendments fundamentally alter that overall balance or whether they continue to rely upon the same engineering and landscape strategy previously considered.

Particular consideration should be given to whether the revised proposals materially reduce the extent of engineering intervention, visual prominence and landscape intrusion across the site, or whether the fundamental change in landscape character identified by the Inspector remains substantially the same despite the revised design and supporting evidence.

Review of Submitted Evidence

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 31

The amended Landscape Masterplan provides the principal evidence for assessing whether the revised landscape framework responds more effectively to the Inspector's overall concerns regarding landscape character, settlement edge and visual integration. Comparison with the appeal Landscape Masterplan enables assessment of whether the revised proposals materially reduce the overall landscape effects previously identified by the Inspector.

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 31

The amended Landscape and Visual Impact Assessment provides the applicant's assessment of the revised landscape and visual effects arising from the amended proposals. It provides evidence of whether the applicant considers the revised scheme to have materially reduced the overall landscape harm identified by the Inspector and whether those conclusions are supported by the accompanying landscape evidence and visual assessments.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 31

The amended Proposed Site Layouts provide the principal evidence of the overall development footprint, the relationship between the proposed development and the surrounding countryside, and the revised settlement edge. Comparison with the appeal layouts enables assessment of whether the overall landscape relationship has materially changed.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 31

The amended Proposed Site Sections illustrate the relationship between the revised development, existing landform and surrounding landscape. They provide evidence of whether revisions to levels, engineering works and the overall site design materially reduce the landscape effects identified within the appeal decision.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 31

The amended Retaining Wall Sections provide evidence of whether revisions to the retaining structures materially reduce the extent of engineering intervention across the site and contribute to a more successful integration of the development within the existing landscape.

Documents 65/66 – Amended Schematic Finished Levels

Relevant to Paragraph 31

The amended Schematic Finished Levels provide evidence of whether the revised proposals reduce the extent of land re-profiling required to accommodate the development and whether the revised engineering strategy responds more sympathetically to the site's natural topography.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 31

The amended Design and Access Statement explains the applicant's design rationale for the revised proposals and provides evidence of how the amended layout, engineering strategy and landscape framework are intended to respond to the Inspector's wider conclusions regarding landscape character and visual effects.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 31

The Explanation of Key Changes identifies the principal amendments made following the dismissed appeal, including revisions to the layout, engineering works and landscape proposals. It provides evidence of whether those amendments are intended to address the Inspector's overall landscape conclusions.

Document 119 – Planning Statement

Relevant to Paragraph 31

The Planning Statement sets out the applicant's overall planning justification for the revised proposals and explains how the amendments are intended to overcome the Inspector's conclusions regarding landscape character, visual impact and settlement edge.

Secondary Documents

Document 75 – Committee Report

The Committee Report provides the Local Planning Authority's assessment of the revised landscape strategy, engineering works and visual effects and provides evidence of whether officers consider the Inspector's wider landscape concerns to have been overcome.

Comparative Appeal Documents

Document 230 – Appeal Landscape Masterplan

Provides the baseline against which the revised landscape strategy can be compared.

Documents 241/242 – Appeal Proposed Site Layout

Provide comparative evidence of the overall development footprint, settlement edge and relationship with the surrounding countryside.

Document 195 – Appeal Coloured Sections

Provide comparative evidence of the original engineering strategy, land re-profiling and retaining structures.

Document 250 – Appeal Statement of Case – Design

Provides the applicant's previous design justification considered by the Inspector and establishes the baseline against which the revised design approach can be assessed.

Document 251 – Appeal Statement of Case – Landscape

Provides the landscape evidence relied upon during the appeal and enables direct comparison with the revised Landscape and Visual Impact Assessment.

Document 246 – Appeal Decision

Provides the benchmark against which the revised proposals must be assessed, namely whether the amendments materially reduce the overall landscape and visual effects previously identified by the Inspector.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has specifically addressed the Inspector's wider conclusions regarding landscape character, visual impact and the relationship between the proposed development and its surrounding countryside following the dismissed appeal. Particular consideration has been given to whether amendments to the layout, engineering works, retaining structures, land re-profiling and landscape strategy materially reduce the overall landscape and visual effects identified by the Inspector.

The review also considers whether the revised application fundamentally alters the balance identified by the Inspector between inevitable landscape change arising from residential development and unacceptable planning harm resulting from the manner in which the development is accommodated within the site. Particular regard has been given to the cumulative effect of the revised proposals, including the engineering strategy, settlement edge, landscape buffers and structural planting, together with the conclusions reached during the assessment of Paragraphs 18–23.

The assessment is evidence-led and considers the submitted layout drawings, engineering information, landscape evidence and supporting planning documents collectively to determine whether the Inspector's overall conclusions regarding landscape character and visual impact have been objectively overcome.

Documents Reviewed

Primary Documents

24 – Amended Landscape Masterplan
26–28 – Amended Landscape and Visual Impact Assessment
50/55 – Amended Proposed Site Layout
56–58 – Amended Proposed Site Sections
61/62 – Amended Retaining Wall Sections
65/66 – Amended Schematic Finished Levels

Secondary Documents

13/14 – Amended Design and Access Statement
87 – Explanation of Key Changes
119 – Planning Statement
75 – Committee Report

Comparative Appeal Documents

195 – Appeal Coloured Sections
230 – Appeal Landscape Masterplan
241/242 – Appeal Proposed Site Layout
246 – Appeal Decision
250 – Appeal Statement of Case – Design
251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Does the revised proposal retain more of the site's existing pastoral character?	The revised LVIA acknowledges that residential development will fundamentally alter the existing pastoral character of the site but concludes that strengthened structural planting, revised landscape treatment and mitigation will integrate the development over time. The amended Landscape Masterplan reflects this enhanced planting strategy. However, comparison with the appeal proposals demonstrates that the site's underlying transition from open pastoral land to residential development remains unchanged and no evidence has been identified demonstrating that the existing landscape character is materially retained beyond that previously considered by the Inspector.
Has the overall extent or footprint of built development changed?	The Planning Statement and Design and Access Statement explain that revisions have been made to the layout and engineering design following the appeal. The amended Proposed Site Layout confirms these refinements. However, comparison with the appeal layout demonstrates that the overall development footprint, settlement edge and extent of built form remain substantially unchanged.
Has the revised proposal reduced the perceived encroachment into the countryside?	The revised LVIA concludes that amendments to the landscape strategy reduce landscape and visual effects, supported by revised planting proposals shown on the Landscape Masterplan. However, whilst the landscape framework has been strengthened, comparison with the appeal proposals demonstrates that the development continues to occupy the same prominent hillside location and no evidence has been identified demonstrating that the perceived encroachment into the countryside has been materially reduced.
Has the relationship between the development, existing woodland and retained tree belts changed?	The revised Landscape Masterplan retains existing landscape features where possible and supplements them with additional structural planting. The LVIA relies upon this enhanced planting to strengthen landscape integration. However, no evidence has been identified demonstrating that the fundamental relationship between the proposed development, existing woodland and retained vegetation has materially changed since the appeal.

Research Question

Evidence-based Answer

Have the revised engineering works reduced the overall visual impact of the development?

The Key Changes document identifies revisions to the engineering strategy, retaining structures and site levels, whilst the amended sections illustrate these changes. The applicant concludes that these refinements reduce visual effects. However, comparison with the appeal drawings demonstrates that the proposals continue to rely upon significant land re-profiling and engineered retaining structures and no evidence has been identified demonstrating a material reduction in the cumulative visual impact.

Do the revised viewpoints and visualisations demonstrate a material reduction in visual prominence?

The amended LVIA includes revised viewpoints, photomontages and visual assessments intended to demonstrate reduced visual effects following the design amendments. Whilst these provide a more comprehensive assessment than was available at the appeal, no evidence has been identified demonstrating that the revised proposals materially reduce the overall visual prominence of the development within the wider landscape.

Does the revised proposal continue to rely upon extensive retaining structures and landscape mitigation?

Yes. The revised LVIA, Landscape Masterplan and engineering drawings continue to rely upon structural planting, retaining structures and landscape mitigation as integral components of the overall design strategy. Whilst aspects of those proposals have been refined, the fundamental mitigation approach remains substantially the same as that presented at appeal.

Does the revised Landscape and Visual Impact Assessment demonstrate that the Inspector's earlier concerns have been overcome?

The revised LVIA concludes that the amended proposals result in reduced landscape and visual effects compared with the appeal scheme and that the strengthened landscape strategy provides appropriate mitigation. However, when considered alongside the amended drawings and the conclusions reached during the assessment of Paragraphs 18–23, no evidence has been identified demonstrating that the Inspector's wider concerns regarding landscape character and visual impact have been comprehensively overcome.

Have the concerns identified in Paragraphs 18–23 been materially addressed?

The revised application provides a significantly more comprehensive evidence base, including revised engineering information, landscape proposals and supporting justification. However, the detailed comparative review undertaken in Paragraphs 18–23 concluded that the principal concerns relating to retaining structures, settlement edge, landscape buffers and visual prominence remain unresolved. Those findings continue to inform the Inspector's wider landscape assessment.

Research Question

Does the revised proposal alter the Inspector's overall assessment of landscape character?

Is there evidence that the revised scheme fundamentally changes the balance between inevitable landscape change and unacceptable landscape harm?

Do the revised Planning Statement and Design and Access Statement explain how the Inspector's findings in this paragraph have been addressed?

Are those conclusions supported consistently by the revised drawings, Landscape Masterplan and Landscape and Visual Impact Assessment?

Evidence-based Answer

The Planning Statement, Design and Access Statement and revised LVIA collectively conclude that the amendments improve the relationship between the development and the surrounding landscape. However, comparison with the appeal proposals demonstrates that the principal characteristics underpinning the Inspector's overall landscape assessment remain substantially unchanged and no evidence has been identified demonstrating that her overall conclusions would now differ.

The applicant argues throughout the Planning Statement and LVIA that the revised proposals reduce landscape effects through improved engineering design and strengthened mitigation. However, the cumulative evidence reviewed does not demonstrate that these refinements fundamentally alter the balance identified by the Inspector between inevitable landscape change arising from development and unacceptable planning harm resulting from the manner in which that development is accommodated.

Yes. Both documents provide a clear explanation of the design evolution following the appeal and identify amendments intended to respond directly to the Inspector's conclusions regarding landscape character, engineering works and settlement edge. They establish the applicant's design rationale but do not, in themselves, demonstrate that those concerns have been overcome.

Broadly, yes. The revised Planning Statement, Design and Access Statement, Landscape Masterplan, LVIA and engineering drawings present a consistent narrative regarding the intended benefits of the revised proposals. However, when assessed collectively against the appeal drawings and the Inspector's findings, no evidence has been identified demonstrating that the cumulative amendments materially alter the Inspector's overall conclusions regarding landscape character and visual impact.

Principal Question

Has the applicant demonstrated that the revised proposals materially reduce the overall landscape and visual effects previously identified by the Inspector, such that the balance between inevitable landscape change and unacceptable planning harm has fundamentally changed?

Evidence-based Answer

The revised application provides a significantly more comprehensive evidence base than was available at the appeal. The amended Landscape and Visual Impact Assessment concludes that revisions to the layout, engineering strategy, structural planting and landscape framework reduce the landscape and visual effects of the proposed development when compared with the appeal scheme. This position is supported by the amended Landscape Masterplan, revised photomontages, Planning Statement and Design and Access Statement, all of which identify the strengthened landscape strategy and revised engineering design as key responses to the Inspector's findings.

The revised proposals demonstrate genuine refinement of the scheme through amendments to retaining structures, land re-profiling, planting strategy and settlement edge treatment. The supporting documents consistently present these changes as reducing visual prominence and improving the integration of the development within the surrounding landscape. The Committee Report similarly acknowledges these revisions as material amendments to the previously dismissed scheme.

However, the Inspector's conclusion in Paragraph 31 was not based upon any single engineering feature or isolated area of the site. Rather, it reflected the cumulative effect of the development upon landscape character, arising from the combined impact of land re-profiling, retaining structures, settlement edge treatment, landscape buffers and visual prominence.

The comparative review undertaken throughout Paragraphs 18–23 demonstrates that, whilst the applicant has strengthened the supporting evidence and refined elements of the design, no evidence has been identified demonstrating that those fundamental relationships have been materially altered. The revised proposals continue to rely upon substantial engineering intervention and long-term landscape mitigation to reduce visual effects over time, and the submitted evidence does not objectively demonstrate that the cumulative landscape harm identified by the Inspector has been fundamentally reduced.

Evidence-based Conclusion

Paragraph 31 marks the point at which the Inspector drew together her earlier findings regarding engineering works, retaining structures, settlement edge, landscape buffers and visual effects into an overall assessment of landscape character. Whilst accepting that development of the allocated site would inevitably change the existing pastoral landscape, she concluded that the manner in which the proposal was accommodated within the site resulted in unacceptable planning harm.

The revised application responds comprehensively to the appeal decision by providing a significantly enhanced evidence base, including an updated Landscape and Visual Impact Assessment, revised landscape proposals, amended engineering drawings and supporting planning justification. These documents demonstrate that the applicant has carefully considered the Inspector's findings and has sought to reduce landscape and visual effects through refinement of the scheme.

Nevertheless, when assessed collectively against the appeal proposals and the Inspector's reasoning, the revised evidence does not demonstrate that the cumulative relationships underpinning the Inspector's conclusions have fundamentally changed. The overall development footprint, reliance upon engineering works, settlement edge and landscape mitigation strategy remain substantially consistent with the appeal scheme. Accordingly, whilst the revised application presents a stronger and more comprehensive planning case, no evidence has been identified demonstrating that the Inspector's overall conclusions regarding landscape character and visual impact have been objectively overcome.

Outcome: ✗ Not Addressed

Reason: The applicant has produced a substantially more detailed and better evidenced landscape case than was available at the appeal. The revised Landscape and Visual Impact Assessment, Landscape Masterplan, Planning Statement and supporting engineering information demonstrate genuine attempts to refine the development and reduce its landscape and visual effects. These amendments represent a meaningful improvement in the quality and breadth of the supporting evidence.

However, the Inspector's conclusion in Paragraph 31 related to the cumulative effect of the development upon landscape character rather than any individual design element. Having reviewed the revised application documents collectively, together with the detailed findings reached in Paragraphs 18–23, no evidence has been identified demonstrating that the amendments fundamentally alter the overall relationship between the development, the engineered landform and the surrounding landscape. The revised proposal therefore presents a stronger evidential case but does not objectively demonstrate that the Inspector's overall landscape conclusions have been overcome and is therefore considered not addressed.

Paragraph 32

Inspector's Point

32. The plans show a built housing envelope of development stepped back from the boundaries of the site, with landscaping, including retention and enhancement of an existing row of trees crossing east to west on the site, along with increased landscaping to form buffers to the boundaries on the northern part of the site. A large area of public open space including trees and an attenuation pond would break up the mass of development. While the development's size and scale would still result in an urban incursion into the countryside and would expand the settlement, I saw that creeping development on valley slopes is a common feature of the area.

Summary

The Inspector acknowledges that the proposed landscaping, open space and retained tree belt would help break up the development. Whilst recognising that the scheme would extend the settlement into the countryside, she concludes that similar incremental development on valley slopes is a common characteristic of the surrounding area.

Initial Thoughts

- The Inspector identifies several design measures intended to reduce the visual impact of the development.
- She nevertheless accepts that the proposal would represent an urban extension into the countryside.
- The Inspector concludes that similar development on valley slopes is a common feature of the locality.
- This is likely to be a key argument relied upon by the applicant.
- Does the current evidence still support that conclusion?
- Has the revised proposal genuinely strengthened the landscape buffers and settlement edge, or does it continue to rely upon the same reasoning as the appeal scheme?
- Can the Inspector's observations regarding surrounding valley-side development be independently verified?
- The Inspector's conclusion is based partly upon her own observations during the site visit rather than solely upon the submitted technical evidence. The revised application should therefore be assessed to determine whether the applicant has provided objective evidence supporting that observational conclusion or whether it simply continues to rely upon the same contextual argument presented at appeal.

Additional Research Questions

Landscape Mitigation

- Have the landscape buffers been widened or strengthened?
- Has the existing east-west tree belt been retained and enhanced?
- Has the public open space changed in size or function?
- Do the revised proposals better break up the mass of development?

Settlement Edge

- Has the revised proposal improved the transition between the settlement and the countryside?
- Does the revised Landscape Masterplan provide a stronger landscape framework?
- Have engineering works altered the effectiveness of the proposed landscape buffers?

Comparative Assessment

- Is creeping development on valley slopes genuinely a common characteristic of the surrounding area?
- What evidence supports the Inspector's observation?
- Are there examples where development has been designed differently or where stronger landscape buffers have been achieved?
- Does the revised Landscape and Visual Impact Assessment rely upon this comparison, and if so, is it supported by objective evidence?
- Do the revised application documents provide any additional objective evidence demonstrating that the pattern of valley-side development identified by the Inspector remains an appropriate comparator for the revised proposals?

Applicant's Response

- Do the revised Design and Access Statement, Planning Statement or Landscape and Visual Impact Assessment specifically address this aspect of the Inspector's reasoning?
- Have the applicants explained how the revised proposals improve upon the appeal scheme?
- Are those changes evident within the revised drawings and visual evidence?

General Observation

Paragraph 32 develops the Inspector's assessment by considering the cumulative effect of the proposed landscape framework rather than focusing solely upon the engineering works or retaining structures. The Inspector acknowledges that the proposed development incorporates several design measures intended to soften its visual impact, including landscape buffers, retention and enhancement of the existing east-west tree belt, substantial areas of public open space and structural planting. She accepts that these measures would help to break up the overall mass of development and contribute positively to the site's landscape framework.

However, the Inspector also recognises that the proposal would nevertheless extend the settlement into the surrounding countryside and result in an urban incursion beyond the existing settlement edge. Rather than treating this as determinative, she places weight upon her own observations during the site visit, concluding that incremental residential development on valley slopes forms an established characteristic of the wider landscape and therefore provides an appropriate contextual comparison for assessing the proposal.

The revised application should therefore be assessed to determine whether the proposed landscape framework has been materially strengthened beyond that considered at the appeal and whether the revised proposals provide a more effective transition between the settlement and the surrounding countryside. Particular consideration should also be given to whether the applicant has produced objective evidence supporting the Inspector's contextual observations regarding valley-side development or whether the revised application continues to rely upon the same comparative landscape arguments previously advanced.

The assessment should therefore consider not only whether the revised landscape mitigation has been improved, but also whether the cumulative effect of the revised layout, public open space, retained vegetation and structural planting materially alters the Inspector's overall assessment of the settlement edge and landscape character.

Review of Submitted Evidence

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 32

The amended Landscape Masterplan provides the principal evidence for assessing whether the revised landscape framework strengthens the settlement edge through additional structural planting, retention and enhancement of the existing east-west tree belt, and the provision of public open space. Comparison with the appeal Landscape Masterplan enables assessment of whether the revised proposals provide a materially stronger landscape transition between the development and the surrounding countryside.

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 32

The amended Landscape and Visual Impact Assessment explains the applicant's assessment of the revised landscape strategy and visual effects, including the contribution made by landscape buffers, structural planting, retained vegetation and open space. It also considers the relationship between the proposed development and the wider pattern of valley-side development, providing evidence of whether the applicant considers the revised proposals to respond more successfully to the surrounding landscape character.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 32

The amended Proposed Site Layouts provide evidence of the revised settlement edge, the extent of public open space, the relationship between the development and retained landscape features, and the overall distribution of built form across the site. Comparison with the appeal layouts enables assessment of whether the overall landscape structure has materially changed.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 32

The amended Proposed Site Sections illustrate the relationship between the revised development, existing landform, retained vegetation and surrounding countryside. They provide evidence of whether the revised engineering strategy supports a more effective landscape transition and reduces the visual prominence of the development.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 32

The amended Design and Access Statement explains the applicant's design approach to strengthening the landscape framework, settlement edge and public realm. It provides evidence of how the revised proposals seek to respond to the Inspector's observations regarding landscape integration and the wider valley-side context.

Document 119 – Planning Statement

Relevant to Paragraph 32

The Planning Statement explains the applicant's planning justification for the revised landscape strategy and identifies the principal amendments intended to improve the relationship between the proposed development and the surrounding countryside. It also explains how the applicant considers the revised proposals to respond to the Inspector's findings regarding settlement expansion and landscape character.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 32

The Explanation of Key Changes identifies amendments to the landscape framework, structural planting, public open space and settlement edge following the dismissed appeal. It provides evidence of whether those revisions are intended to strengthen the overall landscape strategy and reduce visual effects.

Secondary Documents

Document 75 – Committee Report

The Committee Report considers the effectiveness of the revised landscape strategy, public open space, structural planting and settlement edge. It provides evidence of whether officers consider the revised proposals to have strengthened the landscape framework and responded positively to the Inspector's observations regarding the wider valley-side context.

Comparative Appeal Documents

Document 230 – Appeal Landscape Masterplan

Provides the baseline against which the revised landscape framework, structural planting and settlement edge can be assessed.

Documents 241/242 – Appeal Proposed Site Layout

Provide comparative evidence of the original development footprint, public open space and relationship with the surrounding countryside.

Document 251 – Appeal Statement of Case – Landscape

Provides the applicant's previous landscape evidence, enabling direct comparison with the revised Landscape and Visual Impact Assessment and assessment of whether the applicant's landscape case has materially evolved.

Document 250 – Appeal Statement of Case – Design

Provides the applicant's previous design justification regarding settlement edge, landscape integration and overall site design.

Document 246 – Appeal Decision

Provides the benchmark against which the revised proposals must be assessed, namely whether the strengthened landscape framework, retained vegetation, public open space and revised settlement edge materially alter the Inspector's conclusions regarding landscape character, settlement expansion and the wider valley-side context.

External Research

- Landscape character evidence relating to valley-side development within the local area (if required following review of the application documents).
- Publicly available aerial photography and street-level imagery to compare surrounding valley-side development patterns (if required).

Assessment against Research Questions

Research Question

Have the landscape buffers been widened or strengthened?

Evidence-based Answer

The amended Landscape Masterplan introduces additional structural planting and refinements to the northern landscape buffers. The Planning Statement and Explanation of Key Changes identify these revisions as a principal response to the appeal decision. However, comparison with the appeal Landscape Masterplan indicates that whilst the landscape framework has been strengthened, the revised proposals continue to rely upon the same overall mitigation strategy rather than a fundamentally different landscape approach.

Research Question

Has the existing east-west tree belt been retained and enhanced?

Has the public open space changed in size or function?

Do the revised proposals better break up the mass of development?

Has the revised proposal improved the transition between the settlement and the countryside?

Evidence-based Answer

The revised Landscape Masterplan retains the existing east-west tree belt and proposes supplementary planting to reinforce its landscape function. The revised LVIA relies upon this retained vegetation as an important component of the site's landscape framework. No evidence has been identified demonstrating a fundamental alteration to its role within the overall landscape strategy when compared with the appeal scheme.

The amended Proposed Site Layout and Landscape Masterplan continue to provide a substantial area of public open space incorporating structural planting and the attenuation pond. The revised Planning Statement identifies this space as an important element in breaking up the mass of development. Whilst refinements have been made, no evidence has been identified demonstrating that its overall function within the development has materially changed.

The revised LVIA, Landscape Masterplan and Planning Statement conclude that the strengthened landscape framework, structural planting and public open space improve the visual composition of the development. However, comparison with the appeal proposals indicates that the overall development footprint and distribution of built form remain substantially unchanged and no evidence has been identified demonstrating a material reduction in the perceived mass of development.

The applicant relies upon strengthened landscape buffers, structural planting and revised settlement edge treatment to improve the relationship with the surrounding countryside. These measures are consistently reflected within the Landscape Masterplan, Planning Statement and Design and Access Statement. However, whilst the landscape treatment has been refined, no evidence has been identified demonstrating that the transition between the settlement and countryside has been fundamentally altered.

Research Question

Does the revised Landscape Masterplan provide a stronger landscape framework?

Have engineering works altered the effectiveness of the proposed landscape buffers?

Is creeping development on valley slopes genuinely a common characteristic of the surrounding area?

What evidence supports the Inspector's observation?

Are there examples where development has been designed differently or where stronger landscape buffers have been achieved?

Evidence-based Answer

Yes. The revised Landscape Masterplan provides a more comprehensive and clearly articulated landscape strategy than the appeal scheme, including enhanced structural planting and revised landscape treatment. However, these improvements strengthen the existing mitigation strategy rather than introducing a materially different landscape framework.

The revised engineering drawings demonstrate refinements to site levels and retaining structures, and the applicant considers these changes to improve landscape integration. However, the revised proposals continue to rely upon engineered landform and structural planting operating together, and no evidence has been identified demonstrating that the effectiveness of the landscape buffers has been materially improved by the revised engineering strategy.

The Inspector expressly recorded this as an observation arising from her site visit. The revised LVIA and Planning Statement continue to rely upon the surrounding pattern of valley-side development to provide landscape context for the proposals. However, no additional objective evidence has been identified within the revised application documents which further substantiates that comparison beyond the evidence previously available at the appeal.

The principal evidence remains the Inspector's own observations together with the contextual analysis contained within the LVIA. The revised application does not introduce significant new landscape character evidence specifically examining the wider pattern of valley-side development.

No comparative examples have been identified within the revised application documents. The applicant relies primarily upon revisions to the submitted scheme rather than comparative analysis of alternative local developments. External comparative research may be appropriate if further investigation is considered necessary.

Research Question

Does the revised Landscape and Visual Impact Assessment rely upon this comparison, and if so, is it supported by objective evidence?

Do the revised application documents provide any additional objective evidence demonstrating that the pattern of valley-side development identified by the Inspector remains an appropriate comparator for the revised proposals?

Do the revised Design and Access Statement, Planning Statement or Landscape and Visual Impact Assessment specifically address this aspect of the Inspector's reasoning?

Have the applicants explained how the revised proposals improve upon the appeal scheme?

Are those changes evident within the revised drawings and visual evidence?

Evidence-based Answer

Yes. The revised LVIA continues to rely upon the surrounding landscape context and pattern of development as part of its assessment of landscape effects. However, no evidence has been identified demonstrating that additional objective evidence has been provided to strengthen this contextual comparison beyond that previously considered by the Inspector.

No. Whilst the revised LVIA, Planning Statement and Design and Access Statement all continue to refer to the surrounding landscape context, no additional objective landscape character evidence has been identified demonstrating that the comparative assessment has materially changed since the appeal.

Yes. All three documents identify revisions to the landscape framework, settlement edge and structural planting and explain how these amendments are intended to improve landscape integration. They demonstrate that the applicant has sought to respond directly to the Inspector's observations, although they do not, in themselves, demonstrate that her overall conclusions would now differ.

Yes. The Planning Statement, Design and Access Statement, Explanation of Key Changes and revised LVIA consistently explain the principal amendments made following the appeal, including strengthened planting, refined engineering works and revisions to the landscape framework. These documents present a coherent explanation of the applicant's design evolution.

Yes. The amended Landscape Masterplan, Proposed Site Layout, engineering drawings and revised visual evidence consistently illustrate the amendments described within the supporting documents. However, when assessed collectively against the appeal proposals, no evidence has been identified demonstrating that these cumulative changes fundamentally alter the Inspector's conclusions regarding settlement edge, landscape transition or the wider landscape context.

Principal Question

Has the applicant demonstrated that the revised proposal provides a more appropriate landscape transition and settlement edge, and does the available evidence continue to support the Inspector's conclusion that comparable valley-side development is a common characteristic of the area?

Evidence-based Answer

The revised application provides additional landscape evidence compared with that available at the appeal. The amended Landscape Masterplan demonstrates revisions to structural planting, retention and enhancement of the existing east-west tree belt, refinements to the northern landscape buffers and continued provision of public open space intended to break up the mass of development. These amendments are reflected within the revised Planning Statement, Design and Access Statement, Explanation of Key Changes and Landscape and Visual Impact Assessment, which explain how the applicant considers the revised proposals to improve the landscape framework and settlement edge.

The revised Landscape and Visual Impact Assessment continues to conclude that the proposed landscape strategy, public open space and retained vegetation will assist in integrating the development within the wider valley-side landscape. The Planning Statement similarly continues to rely upon the surrounding pattern of valley-side development in support of the proposed settlement extension.

However, the Inspector's conclusion in this paragraph was not dependent upon the landscape strategy alone. Rather, she accepted that, whilst the proposal would inevitably represent an urban extension into the countryside, the resulting effects were moderated because similar valley-side development already formed part of the surrounding landscape character. Comparison with the appeal Landscape Masterplan, Landscape and Visual Impact Assessment and layout drawings demonstrates that these fundamental planning relationships remain substantially unchanged. Whilst the revised application provides additional supporting information, no evidence has been identified demonstrating that the landscape transition, settlement edge or wider contextual relationship has been materially altered when compared with the appeal scheme.

The revised application therefore provides additional evidence in support of substantially the same planning position considered by the Inspector. It does not demonstrate that the relationship between the proposed development, the settlement edge and the surrounding valley landscape has materially changed, nor does it provide evidence demonstrating that the revisions materially alter the Inspector's reasoning.

Evidence-based Conclusion

Paragraph 32 demonstrates that the Inspector accepted a number of positive landscape characteristics within the appeal scheme, including structural planting, retention of existing vegetation, public open space and the stepped arrangement of development across the site. She also accepted, following her site observations, that incremental residential development on valley slopes formed an established characteristic of the surrounding landscape. These considerations moderated the landscape effects of the proposal but did not outweigh her wider concerns regarding landscape character and visual impact.

The revised application seeks to respond to those findings through revisions to the landscape framework, settlement edge and supporting landscape evidence. The amended Landscape Masterplan, Landscape and Visual Impact Assessment and associated planning documents explain how the applicant considers these amendments to improve landscape integration and reinforce the proposed settlement edge.

However, the Inspector's conclusion did not depend upon the landscape strategy alone. It reflected her planning judgement that, notwithstanding the proposed mitigation, the development would remain an urban extension into the countryside, experienced within a wider landscape already influenced by valley-side development. The comparative review has not identified evidence demonstrating that the revised proposals materially alter that reasoning. The development continues to rely upon substantially the same landscape strategy, occupies broadly the same settlement edge and relies upon the same contextual relationship with surrounding valley-side development. Whilst the revised application provides additional supporting evidence, no evidence has been identified demonstrating that the revisions materially alter the Inspector's reasoning in this paragraph.

Outcome: ❌ Not Addressed

Reason

Whilst it is recognised that the revised application provides additional landscape evidence compared with that available at the appeal, including revisions to the Landscape Masterplan, Landscape and Visual Impact Assessment and associated planning documents, these documents demonstrate only that the applicant has sought to address the Inspector's observations regarding landscape integration, settlement edge and the wider valley landscape. They do not, in themselves, demonstrate that those concerns have been overcome.

The Inspector's conclusion in Paragraph 32 was not that additional landscape mitigation would remove the effects of developing the site. Rather, she accepted that the proposal would remain an urban extension into the countryside, with those effects moderated by the proposed landscape framework and the existing pattern of valley-side development. The revised application continues to rely upon those same fundamental planning relationships. No evidence has been identified demonstrating that the landscape transition, settlement edge or wider contextual relationship has been materially altered, nor that the revisions materially alter the Inspector's reasoning. Accordingly, this matter is considered not addressed.

Paragraph 33

Inspector's Point

33. The site benefits from being immediately adjacent to the settlement boundary but the steep slope of the site means that rows of dwellings would step up the hillside and reveal the full depth of development. Nevertheless, it is contained, to a large extent to the west and north by existing residential development, and to the south, by a belt of woodland. The development would be seen in its wider context with the surrounding built development, the overhead power line and intervening vegetation. Views of the upper shoulder and ridge of the hill as it rises to the east would still be obtainable when viewed from high land along surrounding public rights of way and houses on the opposite valley slope.

Summary

The Inspector acknowledges that the site's steep topography would expose the full depth of the proposed development. However, she concludes that the site benefits from containment by existing development, woodland and other landscape features, and that important views of the upper hillside would remain available.

Initial Thoughts

- The Inspector accepts that the full depth of the development would be visible because of the site's steep topography.
- She nevertheless concludes that the development would be viewed within its wider landscape context.
- The Inspector relies upon the continued availability of views towards the upper shoulder and ridge of the hillside.
- The Inspector also places weight upon the degree of visual containment provided by existing development, woodland, intervening vegetation and the overhead power line.
- Is this still the case in the revised proposal?
- Have the revised proposals altered the extent to which the upper hillside remains visible?
- Has the revised development increased the visual prominence of built form on the hillside?

- Does the revised proposal continue to sit comfortably within its wider landscape setting?
- Do the revised photomontages, viewpoints and verified views objectively support the applicant's conclusions regarding visual containment and retained views, or do they continue to demonstrate the level of visibility identified by the Inspector?

Additional Research Questions

Views and Visual Containment

- Do the revised proposals continue to preserve views of the upper shoulder and ridge of the hill?
- Has the visibility of the development from surrounding public rights of way changed?
- Has the relationship between the development and the skyline altered?
- Do the revised proposals increase the apparent depth or massing of development on the hillside?

Landscape Context

- Does the surrounding woodland continue to provide effective containment?
- Has the relationship with the overhead power line and existing vegetation changed?
- Does the revised proposal remain visually read alongside the existing settlement?

Visual Evidence

- Do the revised photomontages, viewpoints and verified views support the applicant's conclusions?
- Are the views from surrounding public rights of way and the opposite valley side fully represented?
- Do the visualisations demonstrate that important views of the upper hillside have been retained?
- Does comparison between the appeal and revised visual evidence demonstrate any material reduction in the overall visibility of the development?

Applicant's Response

- Do the revised Landscape and Visual Impact Assessment or Planning Statement specifically explain how the revised proposal responds to the Inspector's findings in this paragraph?
- Have the applicants demonstrated that the revised scheme preserves the wider landscape setting identified by the Inspector?
- Are those conclusions supported consistently by the revised viewpoints, photomontages, site sections and Landscape Masterplan?

General Observation

Paragraph 33 considers the wider visual relationship between the proposed development and the surrounding landscape. The Inspector accepts that the steep topography of the site would inevitably expose the full depth of the proposed development, increasing the visibility of built form across the hillside. However, she concludes that the visual effects should not be considered in isolation, placing weight upon the site's containment by existing residential development to the west and north, woodland to the south, existing vegetation and the overhead power line. She also notes that the development would be experienced within its broader landscape context rather than as an isolated feature.

The Inspector's conclusion also relies upon the continued availability of views towards the upper shoulder and ridgeline of the hillside. She considers that, despite the proposed development, these important landscape features would remain visible from surrounding public rights of way and residential properties on the opposite valley side. The assessment therefore balances the increased visibility arising from the site's topography against the degree of visual containment and the retention of important landscape views.

The revised application should therefore be assessed to determine whether the amended proposals materially alter the visual relationship between the development and the surrounding landscape. Particular consideration should be given to whether revisions to the layout, landscape framework and engineering works reduce the apparent depth, massing or prominence of the development when viewed from the surrounding valley, public rights of way and neighbouring residential areas.

The assessment should also consider whether the revised Landscape and Visual Impact Assessment, photomontages, viewpoints and supporting planning documents objectively demonstrate that the wider landscape setting identified by the Inspector has been preserved and whether the revised evidence supports the applicant's conclusions regarding visual containment, retained views and landscape integration.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 33

The amended Landscape and Visual Impact Assessment provides the principal evidence for assessing the revised visual effects of the proposed development. It explains the applicant's assessment of visibility from surrounding viewpoints, the contribution of existing landscape features to visual containment, and the extent to which important views of the upper hillside are retained. Comparison with the appeal LVIA enables assessment of whether the revised proposals materially reduce the visual effects identified by the Inspector.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 33

The amended Landscape Masterplan illustrates the revised landscape framework, structural planting and retained vegetation relied upon to soften views of the development and reinforce the settlement edge. Comparison with the appeal Landscape Masterplan enables assessment of whether the revised proposals provide stronger visual containment and improved landscape integration.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 33

The amended Proposed Site Layouts provide evidence of the relationship between the revised development, surrounding landscape features and settlement edge. They enable assessment of whether amendments to the layout reduce the apparent depth, massing or visual prominence of the development when viewed from the surrounding valley.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 33

The amended Proposed Site Sections illustrate the relationship between the proposed dwellings, existing landform and surrounding topography. They provide evidence of whether the revised engineering strategy reduces the visual prominence of the development or alters the extent to which the full depth of development is perceived on the hillside.

Document 119 – Planning Statement

Relevant to Paragraph 33

The Planning Statement explains the applicant's planning justification for the revised visual strategy and identifies amendments intended to improve the relationship between the development and the wider landscape. It also explains how the applicant considers the revised proposals to respond to the Inspector's findings regarding visual containment, settlement context and retained hillside views.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 33

The amended Design and Access Statement explains the design evolution of the revised proposals and provides evidence of how the amended layout, landscape framework and engineering strategy are intended to improve visual integration within the surrounding valley landscape.

Documents 65/66 – Amended Schematic Finished Levels

Relevant to Paragraph 33

The amended Schematic Finished Levels provide evidence of the revised relationship between existing and proposed land levels and assist in assessing whether the revised engineering strategy alters the visibility, apparent height or visual prominence of the development across the hillside.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 33

The Explanation of Key Changes identifies amendments to the layout, engineering works and landscape proposals following the dismissed appeal. It provides evidence of whether those revisions are intended to reduce visual effects and strengthen the site's visual relationship with the surrounding landscape.

Secondary Documents

Document 75 – Committee Report

The Committee Report considers the revised visual evidence, landscape strategy and engineering works and provides evidence of whether officers consider the amended proposals to have responded positively to the Inspector's findings regarding visual containment, retained views and landscape integration.

Comparative Appeal Documents

Documents 199–201 – Appeal Landscape and Visual Impact Assessment

Provide the baseline against which the revised visual assessment, viewpoints and landscape conclusions can be compared.

Document 230 – Appeal Landscape Masterplan

Provides comparative evidence of the original landscape framework, structural planting and visual containment strategy.

Documents 241/242 – Appeal Proposed Site Layout

Provide the baseline for comparing the overall relationship between the development, settlement edge and surrounding landscape.

Document 311 – Appeal Street Scenes

Provide comparative visual evidence illustrating the original appearance of the development within the wider landscape setting.

Document 246 – Appeal Decision

Provides the benchmark against which the revised proposals must be assessed, namely whether the amended proposals continue to preserve views of the upper hillside, remain appropriately contained within the surrounding landscape and reduce the visual effects previously identified by the Inspector.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has specifically addressed the Inspector's conclusions regarding the visual relationship between the proposed development and the surrounding landscape following the dismissed appeal. Particular consideration has been given to whether amendments to the layout, engineering works, landscape framework and settlement edge materially reduce the visual prominence of the development, preserve important views of the upper hillside and strengthen the degree of visual containment provided by existing landscape features.

The review also considers whether the revised application continues to demonstrate that the development would be experienced within its wider landscape context alongside existing residential development, woodland, overhead infrastructure and intervening vegetation, as identified by the Inspector. Particular regard has been given to the revised viewpoints, photomontages, verified views and supporting landscape evidence to determine whether the applicant has objectively demonstrated that the revised proposals preserve the wider landscape setting and important hillside views.

The assessment is evidence-led and considers the submitted visual evidence, landscape assessments, layout drawings, engineering information and supporting planning documents collectively to determine whether the Inspector's conclusions regarding visual containment, retained views and landscape integration have been objectively overcome.

Documents Reviewed

Primary Documents

24 – Amended Landscape Masterplan

26–28 – Amended Landscape and Visual Impact Assessment

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

65/66 – Amended Schematic Finished Levels

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

311 – Appeal Street Scenes

Assessment against Research Questions

Research Question

Do the revised proposals continue to preserve views of the upper shoulder and ridge of the hill?

Has the visibility of the development from surrounding public rights of way changed?

Has the relationship between the development and the skyline altered?

Evidence-based Answer

The revised LVIA concludes that important views of the upper hillside remain available despite the proposed development and that the amended landscape framework maintains visual permeability across the site. The revised viewpoints and photomontages support this assessment. However, comparison with the appeal LVIA demonstrates that this conclusion remains substantially consistent with the evidence previously considered by the Inspector rather than representing a materially different visual outcome.

The revised LVIA reassesses views from surrounding public rights of way using updated viewpoints and visualisations. Whilst the applicant concludes that revisions reduce visual effects, no evidence has been identified demonstrating a material reduction in the overall visibility of the development from these public viewpoints when compared with the appeal scheme.

The amended Proposed Site Sections, Schematic Finished Levels and revised visual evidence demonstrate refinements to the engineering strategy and landform. However, no evidence has been identified demonstrating that the revised proposals materially alter the relationship between the development and the skyline or significantly reduce the prominence arising from the site's steep topography.

Research Question	Evidence-based Answer
Do the revised proposals increase the apparent depth or massing of development on the hillside?	The amended layout and engineering drawings retain the stepped arrangement of development across the hillside. Whilst aspects of the layout have been refined, comparison with the appeal proposals indicates that the overall depth and perceived massing of development remain substantially unchanged.
Does the surrounding woodland continue to provide effective containment?	The revised Landscape Masterplan retains the woodland belt to the south and continues to rely upon it as an important component of the site's visual containment. The revised LVIA similarly identifies woodland and retained vegetation as key landscape features. No evidence has been identified demonstrating that the woodland's containment function has materially changed since the appeal.
Has the relationship with the overhead power line and existing vegetation changed?	The revised LVIA continues to identify the overhead power line, existing vegetation and surrounding built development as contextual features influencing the perception of the proposed development. No evidence has been identified demonstrating that the relationship between these existing features and the proposed development has materially changed.
Does the revised proposal remain visually read alongside the existing settlement?	Yes. The revised Planning Statement and LVIA continue to describe the development as being experienced within the context of the existing settlement rather than as an isolated encroachment into the countryside. Comparison with the revised layout and appeal proposals indicates that this remains the applicant's principal landscape argument and that the overall relationship with the existing settlement has not materially changed.
Do the revised photomontages, viewpoints and verified views support the applicant's conclusions?	The revised LVIA includes updated viewpoints, verified views and photomontages intended to demonstrate the visual effects of the amended proposals. These provide a more comprehensive evidential basis than was available at the appeal and broadly support the applicant's assessment. However, comparison with the appeal visual evidence does not identify a material change in the overall visual characteristics of the development.

Research Question

Evidence-based Answer

Are the views from surrounding public rights of way and the opposite valley side fully represented?

The revised LVIA includes viewpoints representing the principal public receptors identified during the appeal and provides updated visual evidence from surrounding locations. The submitted assessment therefore presents a comprehensive visual appraisal of the revised proposals.

Do the visualisations demonstrate that important views of the upper hillside have been retained?

Yes. The revised visual evidence continues to demonstrate that views towards the upper shoulder and ridgeline remain available beyond the proposed development. This is consistent with the Inspector's original observations. However, no evidence has been identified demonstrating that the revised proposals materially improve those retained views beyond the appeal scheme.

Does comparison between the appeal and revised visual evidence demonstrate any material reduction in the overall visibility of the development?

Comparison of the appeal and revised visual evidence demonstrates refinement of the landscape proposals and visual presentation of the scheme. However, no evidence has been identified demonstrating a material reduction in the overall visibility or prominence of the development within the wider landscape.

Do the revised Landscape and Visual Impact Assessment or Planning Statement specifically explain how the revised proposal responds to the Inspector's findings in this paragraph?

Yes. Both the revised LVIA and Planning Statement explain how amendments to the landscape framework, structural planting and engineering strategy are intended to strengthen visual containment and landscape integration. These documents demonstrate that the applicant has directly responded to the Inspector's observations regarding the wider landscape setting.

Have the applicants demonstrated that the revised scheme preserves the wider landscape setting identified by the Inspector?

The applicant concludes that the revised proposals continue to be experienced within the wider valley landscape alongside existing settlement, woodland and infrastructure. Whilst the revised evidence provides a stronger justification for that conclusion, no evidence has been identified demonstrating that the revised proposals materially alter the wider landscape context considered by the Inspector.

Research Question

Are those conclusions supported consistently by the revised viewpoints, photomontages, site sections and Landscape Masterplan?

Evidence-based Answer

Broadly, yes. The revised visual evidence, Landscape Masterplan, site sections and supporting planning documents consistently present the applicant's case for improved visual integration. However, when assessed collectively against the appeal evidence, no evidence has been identified demonstrating that the cumulative amendments materially alter the Inspector's conclusions regarding visual containment, retained hillside views or the wider landscape setting

Principal Question

Has the applicant demonstrated that the revised proposal continues to preserve important views of the upper hillside and remains appropriately contained within its wider landscape setting despite the site's steep topography?

Evidence-based Answer

The revised application provides additional visual evidence compared with that available at the appeal. The amended Landscape and Visual Impact Assessment includes updated viewpoints, verified views and photomontages which assess the visual effects of the revised proposals from surrounding public rights of way, residential receptors and the wider valley landscape. The applicant maintains that the revised landscape framework, retained vegetation and engineering strategy improve visual integration whilst continuing to preserve important views towards the upper shoulder and ridgeline of the hillside. This position is reflected within the amended Landscape Masterplan, Planning Statement and Design and Access Statement.

The revised proposals continue to rely upon the existing settlement, woodland, overhead power line and intervening vegetation to provide visual containment, and the applicant maintains that the development would be experienced within its wider landscape context rather than as an isolated feature on the hillside. The revised visual evidence indicates that views of the upper hillside remain available and broadly reflects the contextual observations recorded by the Inspector.

However, the Inspector's conclusion in this paragraph was not dependent upon the quantity of visual evidence submitted. Rather, she accepted that the development would inevitably remain visible because of the site's steep topography but concluded that those visual effects should be assessed within the context of the surrounding settlement, woodland, existing infrastructure and wider valley landscape. Comparison with the appeal Landscape and Visual Impact Assessment, Landscape Masterplan and visual evidence demonstrates that these fundamental visual relationships remain substantially unchanged. Whilst the revised application provides additional supporting information, no evidence has been identified demonstrating that the overall visibility, apparent depth or visual prominence of the development has been materially reduced when compared with the appeal scheme.

The revised application therefore provides additional evidence in support of substantially the same planning position considered by the Inspector. It does not demonstrate that the visual relationship between the proposed development and the wider landscape has materially changed, nor does it provide evidence indicating that the Inspector's planning judgement in this paragraph would now be different.

Evidence-based Conclusion

Paragraph 33 demonstrates that the Inspector accepted the proposed development would inevitably be visible because of the site's steep topography and stepped form. Her conclusion was not that the development would be hidden, but that its visual effects should be considered within the context of the surrounding settlement, existing woodland, infrastructure and wider valley landscape, whilst retaining important views towards the upper hillside.

The revised application seeks to respond to the Inspector's findings by providing additional visual evidence, refining aspects of the landscape strategy and updating the supporting documentation. The revised Landscape and Visual Impact Assessment, Planning Statement and Landscape Masterplan explain how the applicant considers these amendments to improve visual integration and reinforce the settlement edge.

However, the Inspector's conclusion did not depend upon the quality or quantity of the visual evidence alone. It reflected her planning judgement that, notwithstanding the proposed mitigation, the development would inevitably remain visible because of the site's steep topography but would nevertheless be experienced within its wider landscape context whilst retaining important views of the upper hillside.

The comparative review has not identified evidence demonstrating that the revised proposals materially alter that planning judgement. The development continues to occupy broadly the same hillside position, remains visible across its full depth due to the site's topography and continues to rely upon substantially the same landscape context and mitigation strategy to moderate its visual effects. Whilst the revised application provides additional supporting evidence, no evidence has been identified demonstrating that the Inspector would now be likely to reach a materially different conclusion regarding visual containment, retained hillside views or the wider landscape setting.

Outcome: ✗ Not Addressed

Reason: Whilst it is recognised that the revised application provides additional visual evidence compared with that available at the appeal, including updated viewpoints, photomontages and a revised Landscape and Visual Impact Assessment, these documents demonstrate only that the applicant has begun to address the Inspector's observations regarding visual containment, retained hillside views and the wider landscape setting. They do not, in themselves, demonstrate that those concerns have been overcome.

However, the Inspector's conclusion in Paragraph 33 was not that additional evidence would remove the visual effects arising from the site's steep topography. Rather, she accepted that the development would remain visible but concluded that those effects should be considered within the context of the surrounding landscape. The revised application continues to rely upon those same fundamental visual relationships. No evidence has been identified demonstrating that the overall visibility, apparent depth or prominence of the development has been materially reduced, nor that the Inspector's planning judgement would now be different. Accordingly, this matter is considered not addressed.

Paragraph 34

Inspector's Point

34. The woodland to the south and development to the north and west would remain as a key visual characteristic of the area, though there would be visual and spatial loss of the rural context that lies beyond the site to the east. This would be from the introduction of large amounts of built form, albeit the extent of the development would not protrude eastwards beyond the existing built limits of Hollowhead Avenue and Warrenside Close.

Summary

The Inspector concludes that whilst the existing woodland and surrounding development would continue to define the area's character, the proposal would result in the loss of some of the site's rural setting. She considers this effect to be moderated because the development would not extend further east than the existing built form at Hollowhead Avenue and Warrenside Close.

Initial Thoughts

- The Inspector accepts that the proposal would result in a visual and spatial loss of rural character.
- She concludes that this harm is moderated because the proposed development would not extend beyond the established built limits of Hollowhead Avenue and Warrenside Close.
- The Inspector therefore distinguishes between the loss of rural context and unacceptable outward expansion of the settlement.
- Is this still the case in the revised proposal?
- Have the revised proposals altered the eastern extent of development or the relationship with the open countryside?

- Does the revised proposal continue to sit within the established built envelope identified by the Inspector?
- Has the revised scheme increased or reduced the perceived loss of rural context?
- Is the applicant relying on the same reasoning within the revised application?
- Have the revised layout, Landscape Masterplan and visual evidence demonstrated that the settlement edge remains appropriately contained despite the acknowledged loss of rural context?

Additional Research Questions

Settlement Edge

- Has the eastern extent of built development changed?
- Does the revised proposal continue to align with the existing built limits of Hollowhead Avenue and Warrenside Close?
- Has the relationship between the development and the open countryside changed?

Rural Context

- Does the revised proposal result in greater or lesser loss of rural character?
- Has the revised landscape strategy improved the transition between the settlement and countryside?
- Does the revised proposal retain the key visual characteristics identified by the Inspector?

Visual Assessment

- Do the revised viewpoints and photomontages support the conclusion that the development remains visually contained?
- Has the revised proposal altered the perceived extent of built form within the landscape?

- Are views towards the countryside more or less affected than in the appeal scheme?
- Does comparison between the appeal and revised visual evidence demonstrate any material change to the perceived settlement edge or loss of rural context?

Applicant's Response

- Do the revised Planning Statement and Landscape and Visual Impact Assessment specifically address the Inspector's findings in this paragraph?
- Have the applicants demonstrated that the revised proposals reduce the visual and spatial loss of rural context?
- Is that conclusion supported by the submitted drawings and visual evidence?
- Are the applicants' conclusions consistently reflected within the revised Landscape Masterplan, Proposed Site Layout, visual evidence and supporting planning documents?

General Observation

Paragraph 34 considers the extent to which the proposed development affects the rural setting of the site whilst remaining visually associated with the existing settlement. The Inspector accepts that the introduction of residential development would inevitably result in the loss of part of the site's rural context through the replacement of open countryside with built form. However, she concludes that this effect is moderated because the development remains contained by the existing settlement pattern and does not project beyond the established built limits of Hollowhead Avenue and Warrenside Close.

The Inspector therefore distinguishes between the inevitable urbanisation of the application site and the wider perception of settlement expansion within the landscape. Her assessment places particular weight upon the extent of the built envelope, concluding that although rural character would be diminished, the development would continue to be read as part of the existing settlement rather than representing a significant eastward encroachment into the surrounding countryside.

The revised application should therefore be assessed to determine whether amendments to the layout, landscape framework and engineering strategy materially alter the relationship between the proposed development and the existing settlement edge. Particular consideration should be given to whether the revised proposals remain contained within the established built envelope identified by the Inspector and whether the visual and spatial loss of rural context has been reduced when compared with the appeal scheme.

The assessment should also consider whether the revised Landscape and Visual Impact Assessment, Planning Statement, Landscape Masterplan and supporting visual evidence objectively demonstrate that the revised proposals continue to respect the established settlement edge whilst preserving the key landscape characteristics identified by the Inspector.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 34

The amended Landscape and Visual Impact Assessment provides the principal evidence for assessing the relationship between the revised development and the surrounding countryside. It explains the applicant's assessment of settlement edge, visual containment and the extent to which the revised proposals affect the rural context of the site. Comparison with the appeal LVIA enables assessment of whether the revised proposals materially reduce the visual and spatial loss of rural character identified by the Inspector.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 34

The amended Landscape Masterplan illustrates the revised landscape framework, structural planting and proposed settlement edge treatment. It provides evidence of whether the revised landscape proposals strengthen the transition between the built development and the surrounding countryside whilst maintaining the established visual characteristics of the area.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 34

The amended Proposed Site Layouts provide the principal evidence of the revised development envelope and the relationship between the proposed built form and the eastern site boundary. Comparison with the appeal layouts enables assessment of whether the revised proposals remain within the established built limits identified by the Inspector or alter the perceived extent of settlement expansion.

Document 119 – Planning Statement

Relevant to Paragraph 34

The Planning Statement explains the applicant's justification for the revised settlement edge and landscape strategy and identifies the principal amendments intended to reduce landscape and visual effects. It also explains how the applicant considers the revised proposals to remain visually associated with the existing settlement rather than extending unacceptably into the countryside.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 34

The amended Proposed Site Sections illustrate the relationship between the revised development, existing landform and surrounding countryside. They provide evidence of whether the revised engineering strategy alters the perceived extent of built development or the visual transition between the settlement and the rural landscape.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 34

The amended Design and Access Statement explains the design evolution of the revised proposals and provides evidence of how the amended layout, landscape framework and settlement edge are intended to respond to the Inspector's findings regarding visual containment and the relationship with the surrounding countryside.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 34

The Explanation of Key Changes identifies amendments to the layout, engineering works and landscape strategy following the dismissed appeal. It provides evidence of whether those revisions are intended to reduce the visual and spatial effects identified by the Inspector whilst maintaining an appropriate settlement edge.

Secondary Documents

Document 75 – Committee Report

The Committee Report considers the revised landscape strategy, settlement edge and visual relationship with the surrounding countryside and provides evidence of whether officers consider the amended proposals to have responded positively to the Inspector's conclusions regarding the loss of rural context and settlement expansion.

Comparative Appeal Documents

Documents 199–201 – Appeal Landscape and Visual Impact Assessment

Provide the baseline against which the revised assessment of settlement edge, rural context and visual effects can be compared.

Document 230 – Appeal Landscape Masterplan

Provides comparative evidence of the original landscape framework and settlement edge treatment.

Documents 241/242 – Appeal Proposed Site Layout

Provide the baseline for comparing the extent of built development and its relationship with the existing settlement and surrounding countryside.

Document 250 – Appeal Statement of Case – Design

Provides the applicant's previous design justification relating to settlement edge, built form and landscape integration.

Document 251 – Appeal Statement of Case – Landscape

Provides the applicant's previous landscape evidence and enables direct comparison with the revised LVIA to assess whether the landscape justification has materially evolved.

Document 246 – Appeal Decision

Provides the benchmark against which the revised proposals must be assessed, namely whether the amended development continues to respect the established settlement edge and avoids a greater visual or spatial loss of rural context than that considered acceptable by the Inspector.

Scope of Document Review

The following documents have been reviewed to establish whether the revised application has specifically addressed the Inspector's conclusions regarding the relationship between the proposed development, the existing settlement edge and the surrounding rural landscape following the dismissed appeal. Particular consideration has been given to whether amendments to the layout, landscape framework and engineering strategy materially reduce the visual and spatial loss of rural context whilst ensuring that the development remains appropriately contained within the established built envelope identified by the Inspector.

The review also considers whether the revised application continues to demonstrate that the proposed development would be experienced as part of the existing settlement rather than representing an unacceptable eastward expansion into the surrounding countryside. Particular regard has been given to the revised Landscape and Visual Impact Assessment, Landscape Masterplan, visual evidence and layout drawings to determine whether the applicant has objectively demonstrated that the revised proposals maintain an appropriate settlement edge and preserve the key landscape characteristics identified by the Inspector.

The assessment is evidence-led and considers the submitted landscape evidence, visual assessments, layout drawings and supporting planning documents collectively to determine whether the Inspector's conclusions regarding settlement containment, rural context and the extent of the proposed built envelope have been objectively overcome.

Documents Reviewed

Primary Documents

24 – Amended Landscape Masterplan

26–28 – Amended Landscape and Visual Impact Assessment

50/55 – Amended Proposed Site Layout

119 – Planning Statement

Secondary Documents

56–58 – Amended Proposed Site Sections

13/14 – Amended Design and Access Statement

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Has the eastern extent of built development changed?	The amended Proposed Site Layout demonstrates refinements to the layout and landscape treatment following the appeal. However, comparison with the appeal layout indicates that the eastern extent of built development remains broadly consistent with the previously approved development envelope and no evidence has been identified demonstrating any material eastward expansion beyond the limits considered by the Inspector.
Does the revised proposal continue to align with the existing built limits of Hollowhead Avenue and Warrenside Close?	The revised Planning Statement and LVIA continue to rely upon the relationship between the proposed development and the established built limits of Hollowhead Avenue and Warrenside Close as an important component of the applicant's landscape case. Comparison with the amended layout confirms that the revised proposals continue to sit broadly within the same established settlement envelope identified by the Inspector.
Has the relationship between the development and the open countryside changed?	The revised Landscape Masterplan strengthens the landscape framework along the site boundaries and the Planning Statement identifies improved landscape integration as a principal design objective. However, no evidence has been identified demonstrating that the revised proposals materially alter the relationship between the proposed development and the adjoining open countryside.
Does the revised proposal result in greater or lesser loss of rural character?	The revised LVIA concludes that the strengthened landscape strategy reduces landscape and visual effects when compared with the appeal scheme. Whilst the revised proposals provide additional planting and a more comprehensive landscape framework, no evidence has been identified demonstrating that the overall visual and spatial loss of rural character has been materially reduced.
Has the revised landscape strategy improved the transition between the settlement and countryside?	Yes. The amended Landscape Masterplan demonstrates refinements to structural planting, boundary treatment and settlement edge landscaping. These revisions strengthen the landscape transition and are consistently supported by the Planning Statement and Design and Access Statement. However, they refine the existing mitigation strategy rather than fundamentally altering the relationship between the settlement and surrounding countryside.

Research Question

Does the revised proposal retain the key visual characteristics identified by the Inspector?

Do the revised viewpoints and photomontages support the conclusion that the development remains visually contained?

Has the revised proposal altered the perceived extent of built form within the landscape?

Are views towards the countryside more or less affected than in the appeal scheme?

Does comparison between the appeal and revised visual evidence demonstrate any material change to the perceived settlement edge or loss of rural context?

Do the revised Planning Statement and Landscape and Visual Impact Assessment specifically address the Inspector's findings in this paragraph?

Evidence-based Answer

Yes. The revised LVIA continues to identify the woodland belt, surrounding residential development and existing landscape features as the principal visual characteristics of the area. No evidence has been identified demonstrating that these defining landscape characteristics have materially changed since the appeal.

The revised LVIA includes updated viewpoints and photomontages which continue to demonstrate that the development is experienced alongside the existing settlement, woodland and surrounding landscape features. These visualisations support the applicant's conclusions regarding visual containment, although they do not demonstrate a materially different visual relationship from that previously considered by the Inspector.

The revised layout and visual evidence demonstrate refinements to the landscape framework and settlement edge. However, comparison with the appeal proposals indicates that the overall extent and distribution of built form within the landscape remain substantially unchanged.

The revised LVIA concludes that strengthened planting and landscape mitigation improve the visual transition between the development and the countryside. However, no evidence has been identified demonstrating a material change in the extent to which views towards the surrounding countryside are affected when compared with the appeal scheme.

Comparison of the appeal and revised Landscape Masterplans, visual evidence and layout drawings demonstrates refinement of the landscape framework and settlement edge treatment. However, no evidence has been identified demonstrating that these amendments materially alter the perceived settlement edge or significantly reduce the loss of rural context identified by the Inspector.

Yes. Both documents explain how revisions to the landscape strategy, settlement edge and engineering design are intended to reduce landscape and visual effects whilst maintaining an appropriate relationship with the surrounding countryside. They demonstrate that the applicant has directly responded to the Inspector's observations.

Research Question

Have the applicants demonstrated that the revised proposals reduce the visual and spatial loss of rural context?

Is that conclusion supported by the submitted drawings and visual evidence?

Evidence-based Answer

The applicant concludes that the revised proposals strengthen landscape integration through enhanced planting and refinement of the settlement edge. However, whilst the supporting evidence has been strengthened, no evidence has been identified demonstrating that the overall visual and spatial loss of rural context has been materially reduced compared with the appeal scheme.

Broadly, yes. The Landscape Masterplan, revised viewpoints, photomontages, layout drawings and supporting planning documents consistently present the applicant's revised landscape strategy. However, when assessed collectively against the appeal evidence, no evidence has been identified demonstrating that the cumulative amendments materially alter the Inspector's conclusions regarding settlement containment or the loss of rural context.

Principal Question

Has the applicant demonstrated that the revised proposal continues to respect the existing settlement edge and does not result in a greater visual or spatial loss of rural context than that considered acceptable by the Inspector?

Evidence-based Answer

The revised application continues to rely upon the established settlement edge as a principal component of its landscape case. The amended Proposed Site Layout demonstrates that the eastern extent of built development remains broadly aligned with the existing built limits of Hollowhead Avenue and Warrenside Close, whilst the revised Landscape Masterplan, Planning Statement and Landscape and Visual Impact Assessment identify strengthened structural planting and refinements to the landscape framework as measures intended to improve the transition between the settlement and the surrounding countryside. These amendments demonstrate that the applicant has sought to reinforce the settlement edge identified by the Inspector.

However, the Inspector's conclusion in this paragraph was not that the proposal avoided harm. Rather, she accepted that the development would result in a visual and spatial loss of rural context, concluding that this harm was moderated because the development remained contained within the existing settlement envelope. Comparison with the revised application demonstrates that this fundamental relationship remains substantially unchanged. Whilst the revised proposals strengthen the landscape framework and provide a more comprehensive evidential basis for the applicant's case, no evidence has been identified demonstrating that the visual or spatial loss of rural context has been materially reduced when compared with the appeal scheme.

The revised application therefore presents a stronger evidential justification for substantially the same planning position considered at appeal. It does not demonstrate that the relationship between the development, the settlement edge and the surrounding countryside has materially changed, nor does it provide evidence indicating that the Inspector's planning judgement regarding the loss of rural context would now be different.

Evidence-based Conclusion

Paragraph 34 represents a balanced element of the Inspector's reasoning. She acknowledged that development of the site would inevitably diminish part of its rural setting but concluded that this effect was moderated because the proposed development remained visually associated with the existing settlement and did not project beyond the established built limits of Hollowhead Avenue and Warrenside Close.

The revised application continues to reflect that same design approach. The Landscape Masterplan, Planning Statement, revised layout and supporting landscape evidence demonstrate that the applicant has strengthened the proposed landscape framework and refined the settlement edge in response to the appeal decision. These amendments provide a more comprehensive justification for the proposed landscape strategy.

However, the Inspector's conclusion did not depend upon the quality of the landscape strategy alone. It reflected her planning judgement that, notwithstanding the proposed mitigation, development of the site would inevitably result in a visual and spatial loss of part of its rural setting. The fact that the development remained contained within the existing settlement envelope moderated that harm but did not remove it.

The comparative review has not identified evidence demonstrating that the revised proposals materially alter that planning judgement. The development continues to occupy broadly the same settlement envelope, continues to rely upon substantially the same landscape mitigation strategy and continues to result in the visual and spatial loss of rural context identified by the Inspector. Whilst the revised application presents a stronger and more comprehensive evidential case, no evidence has been identified demonstrating that the Inspector would now be likely to reach a materially different conclusion regarding settlement containment or the loss of rural context.

Outcome: ✗ Not Addressed

Reason: The revised application continues to demonstrate that the proposed development remains broadly within the established settlement envelope identified by the Inspector and does not materially extend further east than the existing built limits of Hollowhead Avenue and Warrenside Close. However, this relationship was already accepted by the Inspector within the appeal decision and does not represent a material change to the planning balance.

Whilst the applicant has strengthened the landscape framework and provided a more comprehensive justification through the revised Landscape Masterplan, Landscape and Visual Impact Assessment and Planning Statement, no evidence has been identified demonstrating that the visual and spatial loss of rural context has been materially reduced. The revised application therefore reinforces the applicant's original case but does not fundamentally alter the Inspector's reasoning or the planning judgement reached in this paragraph. Accordingly, this matter is considered not addressed.

Paragraph 35

Inspector's Point

35. In this respect, the visual envelope of the proposed development would be contained, and the loss of the fields would be localised to the site and its immediate context. Over time landscaping proposed on the northern edge of the housing parcel and within the site would filter obtainable views of buildings. The land would be perceived to be part of the settlement and not countryside on the edge of the settlement as it currently is.

Summary

The Inspector concludes that the visual effects of the proposal would be largely contained within the site and its immediate surroundings. She also considers that, as the proposed landscaping matures, views of the development would become increasingly filtered and the site would ultimately be perceived as part of the settlement rather than the adjoining countryside.

Initial Thoughts

- The Inspector concludes that the visual effects would remain relatively localised.
- His conclusion relies upon the successful establishment and long-term effectiveness of the proposed landscaping.
- Is this still the case in the revised proposal?
- Does the revised proposal continue to rely upon future landscape planting to reduce visual impacts?
- Has the revised landscape strategy genuinely improved, or is the applicant relying upon the same assumptions as the appeal scheme?
- Is there sufficient evidence that the site would now be perceived as part of the settlement rather than the countryside?

- Have the revised engineering works altered the visual envelope or increased the extent of visible development?
- The Inspector's conclusion depends upon the assumption that the proposed landscaping will successfully establish and mature over time. Has the revised application provided any additional evidence demonstrating that this assumption is now more robust than at the appeal?

Additional Research Questions

Visual Envelope

- Has the visual envelope of the revised proposal changed?
- Does the revised proposal remain visually contained within its immediate surroundings?
- Have the revised proposals increased the apparent extent of development when viewed from surrounding receptors?

Landscape Mitigation

- Has the landscape strategy been strengthened since the appeal?
- Does the revised Landscape Masterplan provide more effective long-term screening?
- Is there sufficient space for meaningful landscape planting to establish?
- Does the revised proposal remain dependent upon future planting to reduce visual effects?
- Does the revised application provide any additional evidence regarding the establishment, management or long-term success of the proposed planting beyond that available at the appeal?

Settlement Edge

- Does the revised proposal now read more naturally as part of the existing settlement?
- Has the relationship between the development and the adjoining countryside changed?
- Does the revised proposal provide a stronger transition between settlement and countryside?

Applicant's Response

- Do the revised Planning Statement and Landscape and Visual Impact Assessment explain how these conclusions have been addressed?
- Is there evidence that the revised proposals materially reduce the landscape and visual effects identified by the Inspector?
- Are the applicant's conclusions supported by the revised drawings, sections and visualisations?
- Has the applicant provided any additional evidence demonstrating why the Inspector should now place greater confidence in the long-term effectiveness of the proposed landscape mitigation?

General Observation

Unlike the preceding paragraphs, which focus primarily upon the extent of the proposed development, its relationship with the settlement edge and its wider landscape context, Paragraph 35 considers the Inspector's expectation that the visual effects of the development would reduce over time as the proposed landscape planting matured.

The Inspector accepted that the immediate loss of countryside and the introduction of built form would remain apparent following development. However, she concluded that these effects would become increasingly moderated through the successful establishment of structural planting, with the result that the development would, over time, be perceived as part of the existing settlement rather than as an extension into the adjoining countryside.

This paragraph therefore introduces an important distinction between the landscape proposals shown on the submitted drawings and the longer-term assumptions regarding their successful establishment and effectiveness. The key issue is not simply whether the revised application includes additional planting or refinements to the landscape strategy, but whether the supporting evidence demonstrates that the proposed mitigation can reasonably be expected to achieve the long-term landscape integration anticipated by the Inspector.

The comparative review will therefore consider whether the revised application provides any material new evidence that strengthens the applicant's case regarding the future effectiveness, deliverability and long-term success of the proposed landscape mitigation, or whether it continues to rely upon substantially the same assumptions that informed the appeal decision.

Review of Submitted Evidence

Documents 24 – Amended Landscape Masterplan

Relevant to Paragraph 35

The amended Landscape Masterplan provides the principal evidence regarding the proposed landscape framework, structural planting and long-term landscape mitigation. It illustrates the extent of proposed structural planting, retained vegetation and public open space intended to filter views of the development and strengthen the transition between the proposed housing and the surrounding countryside. Comparison with the appeal Landscape Masterplan enables assessment of whether the revised proposals materially improve the long-term landscape strategy or continue to rely upon substantially the same mitigation assumptions.

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 35

The amended Landscape and Visual Impact Assessment explains the applicant's assessment of the future visual effects of the development as planting matures. Particular attention is given to the assumptions regarding the establishment of landscape mitigation, filtering of views over time and the extent to which the development is expected to become integrated within the existing settlement. Comparison with the appeal LVIA enables assessment of whether any new objective evidence has been provided to support these assumptions.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 35

The amended Proposed Site Layouts demonstrate the relationship between the built development, proposed landscape buffers, public open space and structural planting. They enable assessment of whether the revised layout materially alters the visual envelope of the development or improves opportunities for effective long-term landscape integration.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 35

The amended Proposed Site Sections illustrate the relationship between the proposed development, existing landform and surrounding landscape. They assist in assessing whether the revised engineering strategy influences the effectiveness of the proposed landscape mitigation or alters the anticipated visual containment of the development over time.

Document 119 – Planning Statement

Relevant to Paragraph 35

The Planning Statement explains how the applicant considers the revised landscape proposals and settlement edge strategy respond to the appeal decision. It identifies the principal amendments intended to improve landscape integration and provides the planning justification for the anticipated long-term containment of the development.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the proposed development will remain visually contained and that the long-term landscape mitigation relied upon by the Inspector can reasonably be expected to establish successfully and integrate the development into the existing settlement over time.

Particular consideration has been given to whether the revised application materially improves the landscape strategy, strengthens the visual containment of the development or provides additional objective evidence supporting the assumption that the site would, in due course, be perceived as part of the settlement rather than the adjoining countryside. The review also considers whether revisions to the layout, engineering works and proposed planting alter the visual envelope of the development or continue to rely upon substantially the same long-term landscape assumptions considered during the appeal.

The assessment is evidence-led and considers the submitted landscape evidence, visual assessments, layout drawings and supporting planning documents collectively to determine whether the revised application materially alters the Inspector's reasoning regarding visual containment, landscape integration and the anticipated long-term effectiveness of the proposed mitigation.

Documents Reviewed

Primary Documents

24 – Amended Landscape Masterplan

26–28 – Amended Landscape and Visual Impact Assessment

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

61/62 – Amended Retaining Wall Sections

65/66 – Schematic Finished Levels

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Has the visual envelope of the revised proposal changed?	Comparison of the amended Proposed Site Layout, Proposed Site Sections and Landscape Masterplan with the appeal scheme demonstrates refinements to the landscape framework and engineering details. However, the overall visual envelope of the development remains broadly unchanged, with the proposed housing occupying substantially the same hillside position and settlement edge considered by the Inspector.
Does the revised proposal remain visually contained within its immediate surroundings?	The revised Landscape and Visual Impact Assessment continues to conclude that the development would be experienced within the context of the surrounding settlement, woodland and existing landscape features. The revised application continues to rely upon these same characteristics to demonstrate visual containment, and no evidence has been identified indicating that the overall extent of visual containment has materially changed since the appeal.
Have the revised proposals increased the apparent extent of development when viewed from surrounding receptors?	Comparison of the revised layout, sections and visual evidence indicates that the distribution and extent of built form remain broadly consistent with the appeal scheme. Whilst elements of the landscape framework have been revised, no evidence has been identified demonstrating that the apparent extent of development has been materially reduced or increased when viewed from surrounding receptors.
Has the landscape strategy been strengthened since the appeal?	The amended Landscape Masterplan introduces revisions to structural planting, landscape buffers and public open space, supported by the revised Planning Statement and Landscape and Visual Impact Assessment. These amendments represent refinements to the landscape strategy but continue to follow the same overall approach to mitigation that was presented at the appeal.
Does the revised Landscape Masterplan provide more effective long-term screening?	The revised Landscape Masterplan proposes additional planting in several locations and identifies opportunities for strengthened structural landscaping. However, no evidence has been identified demonstrating that these revisions materially alter the long-term screening strategy relied upon by the Inspector. The effectiveness of the proposed mitigation continues to depend upon the successful establishment and maturation of planting over time.

Research Question

Evidence-based Answer

Is there sufficient space for meaningful landscape planting to establish?

The revised Landscape Masterplan retains structural planting corridors and landscape buffers around the site. Whilst these areas provide opportunities for planting, no additional evidence has been identified demonstrating that the available planting areas are materially different from those considered during the appeal.

Does the revised proposal remain dependent upon future planting to reduce visual effects?

Yes. The revised Landscape and Visual Impact Assessment continues to rely upon the future establishment and maturation of structural planting to filter views of the development and soften its visual effects over time. This remains a fundamental assumption underpinning the applicant's landscape case.

Does the revised proposal now read more naturally as part of the existing settlement?

The applicant maintains that the revised landscape strategy will assist in integrating the development into the existing settlement over time. However, comparison with the appeal proposals demonstrates that this conclusion continues to rely upon the same long-term landscape assumptions considered by the Inspector, and no evidence has been identified demonstrating that the relationship with the existing settlement has been materially altered.

Has the relationship between the development and the adjoining countryside changed?

The revised landscape proposals strengthen aspects of the landscape framework but do not materially alter the relationship between the proposed development and the adjoining countryside. The development continues to occupy broadly the same settlement edge and relies upon landscape mitigation to soften that transition over time.

Does the revised proposal provide a stronger transition between settlement and countryside?

The revised Landscape Masterplan demonstrates refinements to planting and boundary treatment intended to reinforce the settlement edge. However, comparison with the appeal Landscape Masterplan indicates that these revisions refine, rather than fundamentally alter, the transition between the settlement and the surrounding countryside.

Do the revised Planning Statement and Landscape and Visual Impact Assessment explain how these conclusions have been addressed?

Yes. Both documents explain how revisions to the landscape framework, structural planting and settlement edge are intended to improve visual containment and long-term landscape integration in response to the appeal decision.

Research Question

Is there evidence that the revised proposals materially reduce the landscape and visual effects identified by the Inspector?

Are the applicant's conclusions supported by the revised drawings, sections and visualisations?

Evidence-based Answer

The revised application concludes that the strengthened landscape strategy will reduce landscape and visual effects over time. However, the comparative review has not identified objective evidence demonstrating that those effects have been materially reduced when compared with the appeal scheme.

The revised drawings, sections and visual evidence are generally consistent with the applicant's assessment of the revised proposals. However, they continue to illustrate substantially the same landscape strategy and long-term reliance upon maturing planting that formed part of the appeal case, rather than demonstrating a fundamentally different landscape outcome

Principal Question

Has the applicant demonstrated that the revised proposal remains visually contained, provides effective and deliverable long-term landscape mitigation, and is supported by sufficient evidence to justify the Inspector's assumption that the development would become integrated into the existing settlement over time without causing greater landscape or visual effects than those previously accepted?

Evidence-based Answer

The revised application continues to rely upon the principle that the proposed development will remain visually contained within its immediate surroundings and that the long-term establishment of structural planting will progressively soften its visual effects. The amended Landscape Masterplan, Landscape and Visual Impact Assessment, Planning Statement and associated drawings demonstrate revisions to the landscape framework, including refinements to structural planting, landscape buffers and public open space, which the applicant considers will strengthen the transition between the proposed development and the surrounding countryside. The revised Landscape and Visual Impact Assessment continues to conclude that, as the proposed planting matures, views of the development will become increasingly filtered and the site will, over time, be perceived as forming part of the existing settlement. The Planning Statement similarly relies upon the proposed landscape strategy to support the long-term integration of the development within its wider landscape setting.

However, the Inspector's conclusion in this paragraph was not dependent upon the landscape proposals alone. Rather, she accepted that the successful establishment and maturation of the proposed planting would, over time, moderate the visual effects of the development and influence how the site would be perceived within the landscape. Comparison with the appeal Landscape Masterplan, Landscape and Visual Impact Assessment and supporting drawings demonstrates that this fundamental approach remains substantially unchanged.

Whilst the revised application provides additional supporting information and refinements to the landscape strategy, no evidence has been identified demonstrating that the long-term effectiveness of the proposed mitigation, or the assumptions upon which it relies, have been materially strengthened when compared with the appeal scheme.

The revised application therefore provides additional evidence in support of the applicant's landscape case but does not demonstrate that the long-term assumptions regarding visual containment, landscape establishment or settlement integration have been materially altered, nor does it provide evidence demonstrating that the revisions materially alter the Inspector's reasoning.

Evidence-based Conclusion

Paragraph 35 demonstrates that the Inspector accepted the visual effects of the development would become increasingly moderated over time through the successful establishment of structural planting. Her conclusion was not that the proposal would avoid landscape harm immediately following construction, but that the proposed mitigation would progressively filter views of the development and influence how the site would be perceived within its wider landscape context.

The revised application seeks to respond to those findings through revisions to the Landscape Masterplan, Landscape and Visual Impact Assessment and supporting planning documents. These revisions provide additional information regarding the proposed landscape framework and explain how the applicant considers the revised strategy will improve long-term landscape integration.

However, the Inspector's conclusion depended upon the anticipated long-term success of the proposed landscape mitigation rather than the quantity of supporting evidence submitted. The comparative review has not identified evidence demonstrating that the revised proposals materially alter those underlying assumptions. The revised application continues to rely upon the successful establishment and long-term maturation of structural planting to soften the visual effects of the development and integrate the site into the existing settlement.

Furthermore, the effectiveness of the proposed mitigation is dependent upon the long-term retention and management of the landscape strategy. Whilst the principal landscape buffers are shown as structural landscape features within areas of public open space and along the site boundaries, the proposed development also incorporates planting within individual residential plots. The applicant states within the Arboricultural Impact Assessment that it is not possible to predict what actions future occupiers may take in respect of trees within or adjacent to their properties.

The submitted evidence therefore continues to rely upon the successful long-term establishment, retention and management of both the structural landscape framework and associated planting, and no material changes have been identified which reduce that reliance when compared with the appeal scheme.

No evidence has been identified demonstrating that the proposed landscape mitigation is materially more effective, more deliverable or less dependent upon future establishment than that considered at the appeal.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application provides additional information regarding the proposed landscape framework, structural planting and visual mitigation, these documents demonstrate only that the applicant has sought to address the Inspector's observations regarding long-term landscape integration. They do not, in themselves, demonstrate that those concerns have been overcome.

The Inspector's conclusion in Paragraph 35 was founded upon the assumption that the proposed landscape mitigation would successfully establish and mature over time, progressively reducing the visual effects of the development and changing how the site would be perceived within the wider landscape. The revised application continues to rely upon those same fundamental assumptions. No evidence has been identified demonstrating that the long-term effectiveness or deliverability of the proposed landscape mitigation has been materially strengthened when compared with the appeal scheme, nor that the revisions materially alter the Inspector's reasoning. Accordingly, this matter is considered not addressed.

Paragraph 36

Inspector's Point

36. Based on the evidence before me and my own observations of the site and the surrounding landscape, I agree in part with the appellant's conclusion that, even though the magnitude of change upon the site itself would be high, the residual effects on the immediate landscape character would be moderate and on the wider landscape character would be minor.

Summary

The Inspector partially agrees with the appellant's Landscape Character and Visual Impact Assessment. She accepts that the development would result in a high magnitude of change to the site itself but concludes that the residual effects on the immediate landscape character would be moderate and on the wider landscape character would be minor.

Initial Thoughts

- This is an important conclusion within the Inspector's landscape assessment.
- The Inspector relies upon both the appellant's evidence and his own site observations.
- The Inspector agrees with the appellant only *in part*.
- Which elements of the appellant's assessment did the Inspector accept, and which did she reject?
- Does the revised proposal materially alter the basis upon which the Inspector reached these conclusions?
- Has the applicant provided evidence to demonstrate that the revised proposal would result in lesser landscape effects than the appeal scheme?
- Is the assessment of "moderate" and "minor" residual effects still justified in light of the revised proposals?

Additional Research Questions

Landscape Assessment

- Which elements of the appellant's LVIA did the Inspector accept?
- Which elements did she reject elsewhere in the decision?
- Does the revised LVIA continue to rely upon the same conclusions?
- Has the methodology or assessment changed?
- How do the Inspector's accepted residual-effect ratings in Paragraph 36 sit alongside her separate findings of unacceptable harm in the more sensitive locations identified elsewhere in the decision?

Magnitude of Change

- Has the revised proposal reduced the magnitude of change to the site?
- Have the revised engineering works altered the landscape effects?
- Has the revised landscape strategy reduced the residual effects identified by the Inspector?

Evidence Base

- What evidence supports the applicant's assessment of moderate and minor residual effects?
- Do the revised visualisations, viewpoints and landscape assessment support those conclusions?
- Is there evidence within the revised application that materially changes the Inspector's previous assessment?

Applicant's Response

- Does the revised Planning Statement explain how the Inspector's findings have been addressed?
- Have the applicants demonstrated that the revised proposals reduce landscape effects beyond those considered at appeal?
- Are those conclusions supported consistently across the submitted reports and drawings?

General Observation

Paragraph 36 draws together the Inspector's assessment of the proposal's effects upon landscape character. She accepts that the magnitude of change within the site itself would be high, reflecting the replacement of open fields with residential development, roads, engineering works and associated infrastructure. However, she concludes that the residual effects would reduce to moderate within the immediate landscape and minor within the wider landscape.

That conclusion is qualified in two important respects. First, the Inspector states that she agrees with the appellant only in part, indicating that she did not accept the landscape case in its entirety. Secondly, her assessment was informed not only by the appellant's technical evidence but also by her own observations of the site and surrounding area. Paragraph 36 must therefore be read alongside her more detailed findings elsewhere in the decision, including the localised concerns regarding retaining structures, landscape buffers, settlement edge and the relationship with PRoW 25.

The revised application should therefore be assessed to determine whether the amended layout, engineering strategy and landscape proposals materially reduce the magnitude of change or residual landscape effects identified at appeal. Particular consideration should be given to whether the revised LVIA merely repeats the previous moderate and minor residual-effect conclusions, or provides additional objective evidence demonstrating that the current proposal would perform materially better.

The assessment should also distinguish between the overall residual effects on landscape character and the specific localised harms identified by the Inspector. Acceptance of moderate effects within the immediate landscape and minor effects within the wider landscape did not amount to a finding that all aspects of the proposal were acceptable. The key question is whether the revised evidence alters the basis of the Inspector's qualified agreement with the appellant or continues to rely upon substantially the same landscape assessment and mitigation assumptions.

Review of Submitted Evidence

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 36

The amended Landscape Masterplan has been reviewed to assess whether revisions to the structural planting, landscape buffers, public open space and settlement edge materially reduce the landscape effects identified by the Inspector. Comparison with the appeal Landscape Masterplan also enables consideration of whether the revised landscape strategy provides a materially different basis for assessing the residual effects on both the immediate and wider landscape character.

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 36

The amended Landscape and Visual Impact Assessment provides the applicant's principal assessment of the anticipated landscape effects arising from the revised proposal. Particular consideration has been given to whether the methodology, landscape character assessment, magnitude of change and residual effects have materially changed since the appeal, and whether the revised assessment continues to rely upon the same conclusions regarding moderate effects on the immediate landscape and minor effects on the wider landscape.

Document 119 – Planning Statement

Relevant to Paragraph 36

The Planning Statement has been reviewed to determine how the applicant considers the revised proposals respond to the Inspector's findings regarding landscape character. Particular attention has been given to whether the applicant identifies any material reduction in landscape effects arising from the revised layout, landscape strategy or engineering works.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 36

The amended Design and Access Statement has been reviewed to identify any design changes intended to reduce the landscape effects of the development. Particular consideration has been given to whether revisions to the site layout, built form and landscape framework are presented as materially improving the relationship between the proposed development and its surrounding landscape.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 36

The amended Proposed Site Layout has been reviewed to determine whether changes to the disposition of development, public open space, landscape buffers or settlement edge materially alter the magnitude of change resulting from the proposal or reduce the residual landscape effects identified at the appeal.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 36

The amended Proposed Site Sections have been reviewed to assess whether revisions to site levels, engineering works and retaining structures materially influence the landscape effects of the development or alter the visual relationship between the proposed built form and the surrounding landscape.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 36

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers relevant to landscape character and visual effects. Particular attention has been given to whether those changes are presented as materially reducing the landscape effects identified by the Inspector and whether they are reflected consistently across the submitted drawings and technical reports.

Document 75 – Committee Report

Relevant to Paragraph 36

The Committee Report has been reviewed to establish how the Local Planning Authority has assessed the revised landscape evidence and whether it concludes that the amended proposals materially alter the Inspector's previous assessment of landscape effects.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the landscape effects of the proposed development have been materially reduced when compared with those considered by the Inspector at the appeal.

Particular consideration has been given to whether the amended Landscape and Visual Impact Assessment, Landscape Masterplan, revised layout and supporting planning documents demonstrate a reduction in the magnitude of change to the site itself, or provide objective evidence that the residual effects upon the immediate and wider landscape character would be less than those previously accepted by the Inspector. The review also considers whether the revisions materially alter the landscape assessment relied upon at the appeal or continue to support substantially the same conclusions regarding the extent of landscape effects.

The assessment is evidence-led and considers the submitted landscape evidence, revised drawings, engineering proposals and supporting planning documents collectively to determine whether the revised application materially alters the Inspector's qualified agreement with the appellant's landscape assessment or continues to rely upon substantially the same assessment of residual landscape effects.

Documents Reviewed

Primary Documents

24 – Amended Landscape Masterplan

26–28 – Amended Landscape and Visual Impact Assessment

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Which elements of the appellant's LVIA did the Inspector accept?

Evidence-based Answer

The Inspector accepted the appellant's assessment that, notwithstanding the high magnitude of change to the site itself, the residual effects on the immediate landscape character would be moderate and those on the wider landscape character would be minor. She also accepted that the proposed landscape framework would, over time, moderate some of the visual effects of the development. However, this acceptance was expressly qualified by the phrase "I agree in part", indicating that the appellant's assessment was not accepted in its entirety.

Research Question	Evidence-based Answer
Which elements did the Inspector reject elsewhere in the decision?	Elsewhere in the appeal decision, the Inspector identified concerns regarding the prominence of retaining structures, the effectiveness of landscape buffers, the relationship between the development and PRoW 25, the treatment of the settlement edge and the visual effects arising from the site's steep topography. These findings demonstrate that, whilst aspects of the appellant's landscape assessment were accepted, localised landscape and visual impacts remained areas of concern.
Does the revised LVIA continue to rely upon the same conclusions?	Yes. The revised Landscape and Visual Impact Assessment continues to conclude that the proposed landscape framework, structural planting and public open space will moderate the landscape and visual effects of the development over time. The overall approach remains consistent with that advanced at the appeal, although supported by updated drawings, viewpoints and revised landscape information.
Has the methodology or assessment changed?	The revised LVIA provides updated assessments, revised visual material and reflects amendments to the proposed scheme. However, no evidence has been identified demonstrating a fundamental change in the assessment methodology or the underlying approach to evaluating landscape effects when compared with the appeal LVIA.
Has the revised proposal reduced the magnitude of change to the site?	No evidence has been identified demonstrating that the revised proposals materially reduce the high magnitude of change arising from the development of the site itself. The proposal continues to involve the replacement of open countryside with residential development, associated infrastructure and engineered landform.
Have the revised engineering works altered the landscape effects?	The revised engineering proposals refine aspects of the development and respond to issues identified during the appeal. However, comparison with the appeal drawings has not identified evidence demonstrating that the overall landscape effects arising from the engineering works have been materially reduced.
Has the revised landscape strategy reduced the residual effects identified by the Inspector?	The revised Landscape Masterplan introduces refinements to structural planting and landscape buffers. However, the revised proposals continue to rely upon substantially the same landscape strategy and long-term establishment of planting to moderate residual landscape effects. No objective evidence has been identified demonstrating that the residual effects would be materially less than those accepted by the Inspector.

Research Question

Evidence-based Answer

What evidence supports the applicant's assessment of moderate and minor residual effects?

The applicant continues to rely upon the revised Landscape and Visual Impact Assessment, Landscape Masterplan, updated visual material and Planning Statement to support the conclusion that residual effects upon the immediate landscape character would remain moderate and upon the wider landscape character would remain minor.

Do the revised visualisations, viewpoints and landscape assessment support those conclusions?

The revised visual material is generally consistent with the conclusions presented within the revised LVIA. However, whilst it supports the applicant's assessment, no evidence has been identified demonstrating that the revised proposals materially improve upon the landscape effects previously considered by the Inspector.

Is there evidence within the revised application that materially changes the Inspector's previous assessment?

The comparative review has not identified objective evidence demonstrating that the revised proposals materially alter the Inspector's assessment of the magnitude of change or the residual effects upon either the immediate or wider landscape character.

Does the revised Planning Statement explain how the Inspector's findings have been addressed?

Yes. The Planning Statement explains how the applicant considers the revised landscape strategy, structural planting and amendments to the scheme respond to the appeal decision and strengthen the landscape case presented within the application.

Have the applicants demonstrated that the revised proposals reduce landscape effects beyond those considered at appeal?

Whilst the revised application presents additional landscape evidence and revised supporting information, no objective evidence has been identified demonstrating that the revised proposals reduce the overall landscape effects beyond those considered by the Inspector at the appeal.

Are those conclusions supported consistently across the submitted reports and drawings?

Yes. The Planning Statement, Landscape and Visual Impact Assessment, Landscape Masterplan and revised drawings present a consistent assessment of the revised proposals. However, they continue to support substantially the same conclusions regarding residual landscape effects as those advanced during the appeal rather than demonstrating a materially different landscape outcome.

Principal Question

Has the applicant demonstrated that the revised proposal would result in no greater landscape effects than those accepted by the Inspector, and is there evidence to justify any claim that the revised scheme performs better than the appeal proposal?

Evidence-based Answer

The revised application continues to conclude that, notwithstanding the high magnitude of change arising from the development of the site itself, the residual effects upon the immediate landscape character would remain moderate and those upon the wider landscape character would remain minor. The amended Landscape and Visual Impact Assessment, Landscape Masterplan, Planning Statement and supporting documents present revised landscape evidence, updated visual material and refinements to the landscape strategy which the applicant considers reinforce those conclusions.

The revised Landscape and Visual Impact Assessment continues to rely upon structural planting, public open space, retained vegetation and the surrounding landscape context to demonstrate that the proposed development would become integrated within the existing settlement over time and that the residual landscape effects would remain acceptable. The Planning Statement similarly concludes that the revised proposals respond positively to the Inspector's findings through refinements to the layout, landscape framework and supporting evidence.

However, the Inspector's conclusion in this paragraph was not dependent solely upon the appellant's technical assessment. She expressly stated that her conclusions were based upon both the submitted evidence and her own observations of the site and surrounding landscape, and that she agreed with the appellant only in part. Comparison with the appeal Landscape and Visual Impact Assessment, Landscape Masterplan and supporting drawings demonstrates that the revised application continues to rely upon substantially the same assessment of landscape effects. Whilst additional supporting information has been provided, no objective evidence has been identified demonstrating that the magnitude of change to the site, or the resulting residual effects upon the immediate or wider landscape character, have been materially reduced when compared with the appeal scheme.

The revised application therefore provides additional evidence in support of the applicant's landscape assessment but does not demonstrate that the residual landscape effects are materially less than those previously accepted by the Inspector, nor does it provide evidence demonstrating that the revisions materially alter the Inspector's reasoning.

Evidence-based Conclusion

Paragraph 36 represents the Inspector's overall assessment of the landscape effects arising from the appeal proposal. Whilst accepting that development of the site would inevitably result in a high magnitude of change, she concluded that the resulting residual effects upon the immediate landscape would be moderate and upon the wider landscape would be minor. Importantly, that conclusion reflected both her consideration of the appellant's technical evidence and her own observations of the site, and was expressly qualified by her statement that she agreed with the appellant only in part.

The revised application seeks to respond to those findings through updated landscape evidence, refinements to the Landscape Masterplan, revisions to the proposed layout and additional supporting information. These documents explain why the applicant considers the revised proposals to remain acceptable in landscape terms and continue to support the conclusions presented within the revised Landscape and Visual Impact Assessment.

However, the comparative review has not identified objective evidence demonstrating that the revised proposals materially alter the Inspector's qualified assessment of landscape effects. The development continues to result in a high magnitude of change to the site itself and continues to rely upon substantially the same landscape strategy and contextual assessment to moderate its residual effects. No evidence has been identified demonstrating that the residual effects upon either the immediate or wider landscape character are materially less than those accepted by the Inspector at the appeal.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application provides additional landscape evidence, updated visual material and revisions to the supporting planning documents, these demonstrate only that the applicant has sought to respond to the Inspector's observations regarding landscape character and residual landscape effects. They do not, in themselves, demonstrate that those conclusions have been materially altered.

The Inspector's conclusion in Paragraph 36 was based upon both the appellant's evidence and her own observations of the site and surrounding landscape, and represented a qualified acceptance of the appellant's landscape assessment. The revised application continues to rely upon substantially the same assessment of landscape effects. No objective evidence has been identified demonstrating that the magnitude of change to the site has been materially reduced, or that the residual effects upon the immediate or wider landscape character are materially less than those previously accepted. Accordingly, this matter is considered not addressed.

Paragraph 37

Inspector's Point

38. Turning to visual effects, visual amenity relates to the direct visual impacts on receptors (people) rather than on the landscape. The LVIA has assessed the visual effects of the proposal from several key viewpoints. During my site visits, I was able to observe the site and its context from several important local viewpoints, including those identified in the LVIA.

Summary

The Inspector distinguishes visual effects from landscape effects, explaining that visual amenity concerns the impact of the development on people rather than the landscape itself. She notes that the LVIA assessed a number of key viewpoints and that she verified these through his own site visits.

Initial Thoughts

- The Inspector explains that visual effects relate to the experience of people viewing the development.
- She considers both the applicant's LVIA and his own site observations.
- Have all relevant visual receptors genuinely been identified and assessed within the LVIA?
- Are there important viewpoints, receptors or routes that have been omitted or under-represented?
- Does the revised LVIA continue to assess the most sensitive receptors?
- Do the Inspector's site observations remain applicable to the revised proposal?
- Has the revised application materially altered the visual effects experienced by surrounding receptors?
- Has the revised application addressed the omission of viewpoints or visual receptors identified during the appeal, including those relied upon by the Inspector during her own site visits?
- Does the submitted visual evidence provide a complete and representative assessment of the most sensitive viewpoints, or do gaps remain within the evidence base?

Additional Research Questions

Visual Receptors

- Who are the principal visual receptors identified within the LVIA?
- Have all relevant receptors been assessed?
- Have residential properties, Public Rights of Way, roads and publicly accessible spaces all been adequately considered?
- Are there additional sensitive receptors that should have been included?

Viewpoints

- Are the selected viewpoints representative of the most sensitive locations?
- Have any viewpoints been omitted?
- Have additional viewpoints been included within the revised application?
- Do the submitted photomontages and visualisations accurately represent the likely visual effects?

Inspector's Assessment

- Which viewpoints did the Inspector visit?
- Does the revised proposal materially alter the views available from those locations?
- Do the revised application documents explain any changes to the visual assessment?

Applicant's Evidence

- Does the revised LVIA provide sufficient evidence to support its conclusions?
- Are the conclusions reached within the LVIA supported by the visual evidence?
- What evidence demonstrates that all relevant visual receptors have been properly considered?

General Observation

Paragraph 37 marks an important transition within the Inspector's assessment from landscape character to visual amenity. Unlike the preceding paragraphs, which consider the effects of the proposal upon the landscape itself, this paragraph focuses upon the experience of people viewing the development from surrounding locations. The Inspector distinguishes these two disciplines and makes clear that her assessment of visual effects was informed by both the applicant's Landscape and Visual Impact Assessment and her own observations made during site visits.

The Inspector's reasoning demonstrates that the robustness of the visual assessment depended not only upon the conclusions reached within the Landscape and Visual Impact Assessment but also upon whether the selected viewpoints and visual receptors provided a representative understanding of the likely visual effects of the development. The adequacy of the evidence base is therefore central to this part of the assessment.

The revised application should therefore be assessed to determine whether the amended Landscape and Visual Impact Assessment provides a sufficiently comprehensive assessment of the most sensitive visual receptors, including residential properties, Public Rights of Way, roads and publicly accessible locations. Particular consideration should be given to whether additional viewpoints have been included, whether any previously identified omissions remain unresolved and whether the revised visual evidence provides a robust basis upon which the likely visual effects of the development can be assessed.

The assessment will therefore consider whether the revised application materially improves the visual evidence available to the decision-maker or whether it continues to rely upon substantially the same visual assessment considered during the appeal, including any limitations within the submitted viewpoint analysis.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 37

The amended Landscape and Visual Impact Assessment has been reviewed to identify the principal visual receptors, selected viewpoints and methodology adopted to assess the visual effects of the revised proposal. Particular consideration has been given to whether the revised assessment includes all relevant viewpoints, whether additional visual evidence has been provided since the appeal and whether the conclusions are supported by the submitted visualisations and photomontages.

Document 119 – Planning Statement

Relevant to Paragraph 37

The Planning Statement has been reviewed to determine how the applicant considers the revised visual assessment responds to the Inspector's findings. Particular attention has been given to any explanation regarding amended viewpoints, revised visual evidence or changes to the assessment of visual effects experienced by surrounding receptors.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 37

The amended Landscape Masterplan has been reviewed to understand how the proposed landscape framework contributes to visual containment and filtering of views from surrounding receptors. Comparison with the appeal Landscape Masterplan enables assessment of whether any changes to the landscape strategy materially influence the visual assessment presented within the revised LVIA.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 37

The amended Design and Access Statement has been reviewed to identify any design changes intended to influence the visual experience of the development, including revisions to the layout, settlement edge and relationship with surrounding public viewpoints.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 37

The amended Proposed Site Layout has been reviewed to assess whether revisions to the disposition of development, public open space and structural landscaping materially alter the visual relationship between the proposed development and surrounding visual receptors.

Document 75 – Committee Report

Relevant to Paragraph 37

The Committee Report has been reviewed to establish whether the Local Planning Authority considered the revised visual assessment to provide a sufficiently comprehensive and robust assessment of the likely visual effects of the development, and whether any concerns were identified regarding the selection of viewpoints or visual receptors.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides a comprehensive and representative assessment of the likely visual effects arising from the proposed development, and whether all relevant visual receptors and viewpoints have been appropriately identified and assessed.

Particular consideration has been given to whether the amended Landscape and Visual Impact Assessment provides a more robust visual evidence base than was available at the appeal, including any additional viewpoints, visualisations or photomontages. The review also considers whether the revised application adequately assesses the most sensitive visual receptors, including residential properties, Public Rights of Way, highways and publicly accessible locations, and whether any important viewpoints or receptors remain omitted from the submitted assessment.

The assessment is evidence-led and considers the revised Landscape and Visual Impact Assessment, visual evidence, layout drawings and supporting planning documents collectively to determine whether the revised application materially strengthens the visual assessment relied upon by the Inspector or continues to rely upon substantially the same evidence base and assessment of visual effects considered at the appeal.

Documents Reviewed

Primary Documents

26–28 – Amended Landscape and Visual Impact Assessment

119 – Planning Statement

24 – Amended Landscape Masterplan

Secondary Documents

13/14 – Amended Design and Access Statement

50/55 – Amended Proposed Site Layout

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Who are the principal visual receptors identified within the LVIA?	The revised LVIA identifies a range of visual receptors including users of Public Rights of Way, surrounding residential properties, local roads and publicly accessible viewpoints. These remain the principal receptor groups assessed within both the appeal and revised applications.
Have all relevant receptors been assessed?	The revised LVIA assesses the principal categories of visual receptors. However, the comparative review considers whether all of the most sensitive viewpoints and receptors identified by the Inspector have been fully represented within the submitted visual evidence.
Have residential properties, Public Rights of Way, roads and publicly accessible spaces all been adequately considered?	The revised LVIA includes assessment of these receptor groups and provides updated visual evidence from a number of representative locations. However, the adequacy of that assessment depends upon whether the selected viewpoints fully represent the most sensitive receptors and viewing opportunities.
Are there additional sensitive receptors that should have been included?	The comparative review has identified that careful consideration should be given to whether all sensitive Public Rights of Way and surrounding viewpoints have been adequately represented within the revised visual assessment, particularly where the Inspector relied upon her own observations in addition to the submitted evidence.

Research Question	Evidence-based Answer
Are the selected viewpoints representative of the most sensitive locations?	The revised LVIA includes a series of representative viewpoints intended to assess the visual effects of the proposal. However, comparison with the appeal material indicates that the completeness of the selected viewpoints remains an important consideration when assessing the robustness of the visual evidence.
Have any viewpoints been omitted?	The comparative review identifies that the completeness of the submitted viewpoint assessment remains an important issue. Consideration has been given to whether viewpoints relied upon during the appeal have been omitted from the revised submission and whether this affects the robustness of the overall visual assessment.
Have additional viewpoints been included within the revised application?	The revised application includes updated visual material and revised viewpoint information. However, the comparative review has not identified evidence demonstrating that the revised submission provides a materially more comprehensive assessment of all sensitive viewpoints than that available at the appeal.
Do the submitted photomontages and visualisations accurately represent the likely visual effects?	The submitted visualisations and photomontages are consistent with the applicant's assessment presented within the revised LVIA. However, their overall robustness depends upon whether the selected viewpoints adequately represent the full range of sensitive visual receptors.
Which viewpoints did the Inspector visit?	The appeal decision confirms that the Inspector undertook site visits and viewed the site from several important local viewpoints, including those identified within the LVIA. The decision does not identify every viewpoint individually but confirms that her assessment was informed by both the submitted evidence and direct site observations.
Does the revised proposal materially alter the views available from those locations?	Comparison of the revised layout, landscape proposals and visual evidence has not identified material changes to the principal viewing relationships considered by the Inspector. Whilst aspects of the landscape framework have been refined, the principal visual relationships remain broadly comparable with those assessed at the appeal.
Do the revised application documents explain any changes to the visual assessment?	Yes. The revised LVIA and Planning Statement explain the applicant's assessment of the revised visual effects and describe the amendments made to the landscape strategy, layout and supporting visual evidence.

Research Question

Evidence-based Answer

Does the revised LVIA provide sufficient evidence to support its conclusions?	The revised LVIA provides updated visual evidence in support of the applicant's conclusions. However, the comparative review considers that the robustness of those conclusions depends upon whether the submitted viewpoints and visual receptors provide a sufficiently comprehensive representation of the likely visual effects.
Are the conclusions reached within the LVIA supported by the visual evidence?	The submitted visual evidence is generally consistent with the conclusions presented within the revised LVIA. However, no objective evidence has been identified demonstrating that the revised assessment provides a materially more complete assessment of visual effects than that available at the appeal.
What evidence demonstrates that all relevant visual receptors have been properly considered?	The applicant relies upon the revised LVIA, viewpoint assessment, photomontages, Planning Statement and supporting visual evidence. However, the comparative review has not identified objective evidence demonstrating that all relevant visual receptors and viewpoints have been comprehensively assessed beyond those previously considered during the appeal.

Evidence-based Answer

The revised application continues to assess the visual effects of the proposed development through the amended Landscape and Visual Impact Assessment, supported by updated viewpoints, photomontages, the Landscape Masterplan and the Planning Statement. The applicant concludes that the revised visual evidence provides a representative assessment of the likely visual effects experienced by surrounding receptors and continues to demonstrate that the development would be appropriately integrated within its landscape setting. The revised LVIA continues to identify the principal visual receptors as users of Public Rights of Way, surrounding residential properties, local roads and other publicly accessible locations. The supporting visualisations and viewpoint assessments are presented as demonstrating the likely visual effects of the revised proposal and are relied upon by the applicant in support of the conclusions reached within the LVIA.

However, the Inspector's conclusion in this paragraph was not based solely upon the submitted visual evidence. She expressly stated that her assessment was informed by both the Landscape and Visual Impact Assessment and her own observations made during site visits from several important viewpoints. Comparison with the appeal documentation demonstrates that the revised application continues to rely upon substantially the same approach to the assessment of visual effects. Whilst additional visual evidence has been submitted, the comparative review has not identified objective evidence demonstrating that the revised assessment provides a materially more comprehensive or representative assessment of all relevant visual receptors and viewpoints than that available at the appeal.

The revised application therefore provides additional visual evidence in support of the applicant's assessment but does not demonstrate that the visual evidence base has been materially strengthened or that the revisions materially alter the Inspector's reasoning regarding the robustness of the visual assessment.

Evidence-based Conclusion

Paragraph 37 establishes the basis upon which the Inspector assessed visual amenity. She distinguished visual effects from landscape effects and confirmed that her conclusions were informed by both the submitted Landscape and Visual Impact Assessment and her own observations from several important viewpoints. The robustness and completeness of the visual evidence were therefore central to her assessment. The revised application seeks to respond to those findings through updated viewpoints, revised visualisations and supporting technical documentation. The amended LVIA, Planning Statement and Landscape Masterplan explain how the applicant considers the revised visual evidence provides an appropriate assessment of the likely visual effects experienced by surrounding receptors.

However, the comparative review has not identified objective evidence demonstrating that the revised application materially strengthens the completeness of the visual assessment when compared with the appeal. Whilst additional visual material has been submitted, the revised application continues to rely upon substantially the same assessment methodology and viewpoint selection. In particular, no objective evidence has been identified demonstrating that all relevant viewpoints and sensitive visual receptors have been comprehensively assessed or that the revised evidence materially alters the Inspector's reasoning regarding the assessment of visual effects.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application provides additional visual evidence through updated viewpoints, photomontages and the amended Landscape and Visual Impact Assessment, these documents demonstrate only that the applicant has sought to respond to the Inspector's observations regarding visual amenity. They do not, in themselves, demonstrate that the visual assessment is materially more comprehensive or robust than that considered at the appeal.

The Inspector's conclusion in Paragraph 37 was based upon both the submitted Landscape and Visual Impact Assessment and her own site observations from a number of important viewpoints. The comparative review has not identified objective evidence demonstrating that the revised application provides a materially more complete assessment of all relevant visual receptors and viewpoints. Accordingly, no evidence has been identified demonstrating that the revisions materially alter the Inspector's reasoning in this paragraph, and this matter is therefore considered not addressed.

Paragraph 38

Inspector's Point

38. The LVIA identifies users of PRoW 25 are considered to be of high sensitivity (viewpoints 1 and 2). I found the walk along the path to be a pleasant environment which is clearly well used given the number of passers-by I encountered even at the mid-afternoon hour. From my observations and the visualisations provided from this location, PRoW 25 allows views through the site from the public realm. It is clear that the view here from the open grassland would change considerably. Over time, landscaping may soften the appearance of the estate along the boundaries. However, as set out above, even though I accept steep sites are capable of accommodating planting, there would be a sharp contrast in the immediate landscape within the central-eastern section of the site where PRoW 25 runs alongside the site boundary. This would be due to the extensive earthworks required to re-profile the land combined with limited scope for a meaningful landscaped buffer at a point that would be extremely open and visible.

Summary

The Inspector accepts that users of PRoW 25 are highly sensitive visual receptors. Whilst acknowledging that landscaping would soften the development over time, she concludes that the extensive earthworks, limited landscape buffer and openness of the central-eastern section would result in a marked change to the experience of the footpath.

Initial Thoughts

- The Inspector personally observed that PRoW 25 is a pleasant and well-used public right of way.
- She identifies users of PRoW 25 as highly sensitive visual receptors.
- The Inspector concludes that the experience of this route would change considerably.
- The limited opportunity for meaningful landscape mitigation remains one of his principal concerns.
- Has the revised proposal genuinely overcome this concern?
- Has the relationship between PRoW 25, the retaining structures and the landscape buffer materially changed?
- What evidence exists regarding the use and character of PRoW 25, and do the revised proposals preserve those characteristics identified by the Inspector?
- Would existing consultation responses or user evidence assist in understanding the value people place on this route?

- The Inspector's findings in this paragraph were based not only upon the submitted evidence but upon her own observations of PRoW 25. Has the revised application provided any objective evidence capable of displacing those site observations?

Additional Research Questions

PRoW 25

- Has the revised proposal altered the relationship between the development and PRoW 25?
- Have the revised engineering works reduced the visual impact experienced by users of the footpath?
- Does the revised proposal provide a stronger landscape buffer alongside PRoW 25?
- Does the revised proposal preserve the qualities of the route identified by the Inspector?

Landscape Mitigation

- Has the width or quality of the landscape buffer increased?
- Is there now sufficient space for meaningful planting?
- Does the revised Landscape Masterplan demonstrate that the Inspector's concerns have been addressed?
- Does the revised proposal continue to rely upon future planting to mitigate immediate visual effects?

Visual Assessment

- Do the revised viewpoints and photomontages accurately represent the experience of users on PRoW 25?
- Has the applicant specifically reassessed Viewpoints 1 and 2?
- Does the revised LVIA explain how the Inspector's findings have been addressed?
- Does the revised visual evidence fully represent the central-eastern section of PRoW 25 identified by the Inspector as the most sensitive part of the route?

User Experience

- Do consultation responses, representations or other evidence explain why PRoW 25 is valued by the public?
- Would additional evidence regarding users' experience of the footpath assist in understanding the significance of the visual effects?
- Are there qualitative aspects of the route, such as openness, rural outlook and tranquillity? That should be considered alongside visual impact.

General Observation

Paragraph 38 represents one of the Inspector's most detailed assessments of visual amenity within the appeal decision. Unlike the preceding paragraphs, which consider visual effects in more general terms, this paragraph focuses upon the experience of users of Public Right of Way 25, which the Inspector identifies as a highly sensitive visual receptor. Her conclusions are informed not only by the Landscape and Visual Impact Assessment but also by her own observations of the footpath during site visits.

The Inspector records that PRoW 25 is a pleasant and well-used route which currently provides open views across the site. Whilst she accepted that proposed planting would soften the appearance of the development over time, she nevertheless concluded that users of the footpath would experience a considerable change resulting from the extensive earthworks, limited opportunity for meaningful landscape buffering and the openness of the central-eastern section of the site. Her concern therefore extended beyond the appearance of the proposed development itself to the overall experience of the route.

The revised application should therefore be assessed to determine whether the relationship between the proposed development and PRoW 25 has been materially altered through revisions to the layout, engineering works, retaining structures or landscape strategy. Particular consideration should be given to whether the revised proposals provide a genuinely more effective landscape transition alongside the footpath, whether the revised visual evidence adequately represents the most sensitive sections of the route and whether the applicant has provided objective evidence capable of addressing the Inspector's specific observations made during her site visits.

The assessment will therefore consider whether the revised application materially reduces the visual effects experienced by users of PRoW 25 or continues to rely upon substantially the same landscape mitigation and assumptions regarding future planting that were considered by the Inspector at the appeal.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 38

The amended Landscape and Visual Impact Assessment has been reviewed to determine how the revised application assesses the visual effects experienced by users of Public Right of Way 25. Particular consideration has been given to the assessment of Viewpoints 1 and 2, the predicted visual effects arising from the revised proposal, and whether the applicant has specifically addressed the Inspector's concerns regarding the central-eastern section of the footpath, the limited opportunity for meaningful landscape buffering and the effects of the proposed engineering works.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 38

The amended Landscape Masterplan has been reviewed to assess whether the landscape strategy adjacent to Public Right of Way 25 has been materially strengthened. Particular attention has been given to the width, continuity and proposed maturity of the landscape buffer, together with whether the revised planting proposals provide a more effective transition between the development and this highly sensitive public route.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 38

The amended Proposed Site Layout has been reviewed to determine whether revisions to the disposition of development adjacent to Public Right of Way 25 materially alter the relationship between the footpath, proposed built form and surrounding landscape. Particular consideration has been given to whether the revised layout reduces the visual effects experienced by users of the route.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 38

The amended Proposed Site Sections have been reviewed to assess whether revisions to levels, landform and engineering works reduce the visual effects identified by the Inspector, particularly within the central-eastern section of the site where extensive re-profiling of the land was previously identified as a principal concern.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 38

The amended Retaining Wall Sections have been reviewed to determine whether revisions to the retaining structures adjacent to Public Right of Way 25 reduce their prominence, improve opportunities for landscape integration or materially alter the relationship between the proposed development and the footpath.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 38

The amended Design and Access Statement has been reviewed to identify any design amendments intended to improve the experience of users of Public Right of Way 25, including revisions to the layout, landscape strategy, settlement edge and engineering approach.

Document 119 – Planning Statement

Relevant to Paragraph 38

The Planning Statement has been reviewed to determine how the applicant considers the revised proposals respond to the Inspector's findings regarding Public Right of Way 25, visual amenity and the effectiveness of the proposed landscape transition.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 38

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers relevant to Public Right of Way 25 and to determine whether any revisions are specifically intended to address the Inspector's concerns regarding landscape buffering, earthworks or visual effects experienced by users of the footpath.

Document 75 – Committee Report

Relevant to Paragraph 38

The Committee Report has been reviewed to establish how the Local Planning Authority has assessed the revised proposals in relation to Public Right of Way 25 and whether it concludes that the amended scheme materially addresses the Inspector's concerns regarding visual amenity, landscape buffering and the experience of users of this highly sensitive public route.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the visual effects experienced by users of Public Right of Way 25 have been materially reduced when compared with those considered by the Inspector at the appeal.

Particular consideration has been given to whether the amended Landscape and Visual Impact Assessment, Landscape Masterplan, revised layout and engineering proposals demonstrate a more effective relationship between the proposed development and Public Right of Way 25, including whether the revised scheme provides a meaningful landscape transition alongside this highly sensitive public route. The review also considers whether the revised application materially reduces the visual effects arising from the proposed earthworks, retaining structures and limited landscape buffering identified by the Inspector, and whether the submitted visual evidence adequately represents the most sensitive sections of the footpath.

The assessment is evidence-led and considers the revised Landscape and Visual Impact Assessment, visual evidence, landscape proposals, engineering drawings and supporting planning documents collectively to determine whether the revised application materially alters the Inspector's findings regarding the experience of users of Public Right of Way 25 or continues to rely upon substantially the same landscape mitigation and assumptions considered at the appeal.

Documents Reviewed

Primary Documents

26–28 – Amended Landscape and Visual Impact Assessment

24 – Amended Landscape Masterplan

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

61/62 – Amended Retaining Wall Sections

Secondary Documents

13/14 – Amended Design and Access Statement

119 – Planning Statement

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Evidence-based Answer

Has the revised proposal altered the relationship between the development and PRoW 25?

Comparison of the amended Proposed Site Layout, Proposed Site Sections, Retaining Wall Sections and Landscape Masterplan demonstrates refinements to the layout, engineering works and landscape proposals adjacent to PRoW 25. However, the revised development continues to occupy broadly the same relationship with the footpath, and no evidence has been identified demonstrating that this relationship has been materially altered from that considered by the Inspector.

Have the revised engineering works reduced the visual impact experienced by users of the footpath?

The revised engineering proposals respond to aspects of the appeal decision through amendments to levels and retaining structures. However, comparison with the appeal drawings has not identified objective evidence demonstrating that the extensive earthworks identified by the Inspector within the central-eastern section of the site have been materially reduced.

Research Question

Evidence-based Answer

Does the revised proposal provide a stronger landscape buffer alongside PRoW 25?

The amended Landscape Masterplan includes revisions to structural planting and the landscape framework adjacent to PRoW 25. Whilst these amendments refine the proposed landscape treatment, no evidence has been identified demonstrating that a materially wider or more meaningful landscape buffer has been achieved within the central-eastern section identified by the Inspector.

Does the revised proposal preserve the qualities of the route identified by the Inspector?

The revised application continues to acknowledge PRoW 25 as a highly sensitive visual receptor. However, no objective evidence has been identified demonstrating that the revised proposals materially preserve the openness, rural character and visual experience of the route beyond that considered at the appeal.

Has the width or quality of the landscape buffer increased?

The revised Landscape Masterplan demonstrates refinements to the proposed planting strategy. However, comparison with the appeal Landscape Masterplan indicates that the overall landscape approach remains substantially the same, and no evidence has been identified demonstrating a material increase in the width or effectiveness of the landscape buffer where the Inspector identified the greatest concern.

Is there now sufficient space for meaningful planting?

The revised application continues to provide structural planting adjacent to PRoW 25. However, no objective evidence has been identified demonstrating that the physical constraints identified by the Inspector within the central-eastern section of the site have been materially altered or that substantially greater opportunities for meaningful planting now exist.

Does the revised Landscape Masterplan demonstrate that the Inspector's concerns have been addressed?

The amended Landscape Masterplan demonstrates that the applicant has sought to respond through revisions to the landscape framework and planting proposals. However, the comparative review has not identified objective evidence demonstrating that the specific concerns regarding the limited scope for meaningful landscape buffering alongside PRoW 25 have been materially overcome.

Does the revised proposal continue to rely upon future planting to mitigate immediate visual effects?

Yes. The revised Landscape and Visual Impact Assessment continues to rely upon the establishment and long-term maturation of structural planting to soften the visual effects of the development. No evidence has been identified demonstrating that the immediate visual effects experienced by users of PRoW 25 have been materially reduced independently of future landscape establishment.

Research Question

Evidence-based Answer

Do the revised viewpoints and photomontages accurately represent the experience of users on PRoW 25?

The revised visual evidence includes assessment from viewpoints associated with PRoW 25. However, the comparative review has considered whether the submitted visual evidence provides a sufficiently comprehensive representation of the most sensitive sections of the route identified by the Inspector.

Has the applicant specifically reassessed Viewpoints 1 and 2?

The revised LVIA continues to assess the visual effects from Viewpoints 1 and 2 and provides updated visual evidence in support of the applicant's conclusions. However, no objective evidence has been identified demonstrating that the revised assessment materially changes the conclusions previously considered by the Inspector.

Does the revised LVIA explain how the Inspector's findings have been addressed?

Yes. The revised LVIA explains how revisions to the landscape framework, engineering works and visual assessment are intended to respond to the appeal decision. However, the comparative review has not identified objective evidence demonstrating that those revisions materially alter the Inspector's findings regarding PRoW 25.

Do consultation responses, representations or other evidence explain why PRoW 25 is valued by the public?

The Inspector's own observations provide direct evidence that PRoW 25 is a pleasant and well-used public route. The planning submissions also acknowledge the sensitivity of users of the footpath. However, no additional evidence has been identified within the revised application materially expanding upon the significance of the route beyond that already recognised within the appeal decision.

Would additional evidence regarding users' experience of the footpath assist in understanding the significance of the visual effects?

Yes. Additional evidence regarding the use, character and experiential qualities of PRoW 25 could assist in understanding the significance of the visual effects experienced by users. However, no such additional evidence has been identified within the revised application documents.

Are there qualitative aspects of the route—such as openness, rural outlook and tranquillity—that should be considered alongside visual impact?

Yes. The Inspector's observations indicate that the openness, pleasant character and wider rural setting of PRoW 25 formed an important part of users' experience of the route. These qualitative characteristics remain relevant when considering whether the revised proposals materially alter the visual effects experienced by users of the footpath.

Principal Question

Has the applicant demonstrated that the revised proposal preserves the experience of users of PRow 25 by reducing the visual effects of the development and providing a meaningful landscape transition alongside this highly sensitive public route?

Evidence-based Answer

The revised application continues to identify users of Public Right of Way 25 as highly sensitive visual receptors and presents updated visual evidence through the amended Landscape and Visual Impact Assessment, revised viewpoints, Landscape Masterplan and supporting planning documents. The applicant concludes that revisions to the landscape framework, engineering works and proposed planting improve the relationship between the development and the footpath whilst reducing the visual effects experienced by users over time.

The amended Landscape Masterplan demonstrates refinements to structural planting adjacent to PRow 25 and the revised Landscape and Visual Impact Assessment continues to rely upon the establishment and maturation of this planting to soften views of the proposed development. The Planning Statement similarly explains how the revised landscape strategy is intended to improve the transition between the proposed housing and the surrounding countryside.

However, the Inspector's conclusions in this paragraph were based not only upon the submitted evidence but upon her own observations of PRow 25. She identified the central-eastern section of the route as particularly sensitive, concluding that the combination of extensive earthworks, limited opportunity for meaningful landscape buffering and the openness of the site would result in a considerable change to the experience of users of the footpath. Comparison with the amended Landscape Masterplan, Proposed Site Layout, Site Sections, Retaining Wall Sections and revised Landscape and Visual Impact Assessment has not identified objective evidence demonstrating that these fundamental relationships have been materially altered. Whilst the revised application refines aspects of the landscape framework and engineering proposals, no evidence has been identified demonstrating that the opportunity for meaningful landscape buffering alongside the central-eastern section of PRow 25 has been materially improved.

The revised application therefore provides additional supporting information in relation to PRow 25 but does not demonstrate that the visual effects experienced by users of this highly sensitive public route have been materially reduced, nor does it provide evidence demonstrating that the revisions materially alter the Inspector's reasoning.

Evidence-based Conclusion

Paragraph 38 represents one of the Inspector's most site-specific assessments within the appeal decision. She accepted that landscape planting would soften the appearance of the development over time but nevertheless concluded that users of PRoW 25 would experience a considerable change arising from the extensive earthworks, limited scope for meaningful landscape buffering and the openness of the central-eastern section of the site. Importantly, these conclusions were informed by both the submitted Landscape and Visual Impact Assessment and her own observations during site visits.

The revised application seeks to respond through revisions to the Landscape Masterplan, engineering strategy, retaining structures and supporting visual evidence. These documents explain how the applicant considers the amended proposals improve the relationship between the development and PRoW 25 and strengthen the proposed landscape transition.

However, the comparative review has not identified objective evidence demonstrating that the revised proposals materially alter the Inspector's principal concerns. The revised application continues to rely upon future landscape establishment to soften the visual effects of the development and continues to present substantially the same relationship between PRoW 25, the proposed earthworks and the site boundary. No evidence has been identified demonstrating that the opportunity for meaningful landscape buffering within the central-eastern section of the site has been materially increased or that the visual experience of users of PRoW 25 would now differ materially from that considered by the Inspector.

Outcome: ✗ Not Addressed

Reason: Whilst it is recognised that the revised application provides additional visual evidence, refinements to the landscape strategy and amendments to the engineering proposals adjacent to PRoW 25, these documents demonstrate only that the applicant has sought to respond to the Inspector's observations regarding this highly sensitive public route. They do not, in themselves, demonstrate that those concerns have been materially overcome.

The Inspector's conclusion in Paragraph 38 was based upon both the submitted Landscape and Visual Impact Assessment and her own observations of PRoW 25. She accepted that planting would soften the appearance of the development over time but nevertheless concluded that the extensive earthworks, limited scope for meaningful landscape buffering and openness of the central-eastern section of the site would result in a considerable change to users' experience of the footpath. The comparative review has not identified objective evidence demonstrating that these underlying relationships have been materially altered. Accordingly, no evidence has been identified demonstrating that the revisions materially alter the Inspector's reasoning in this paragraph, and this matter is therefore considered not addressed.

Paragraph 39

Inspector's Point

39. Pedestrians would have their enjoyment of the footpath significantly harmed. Indeed, it is recognised in the LVIA that landscaping mitigation to the eastern boundary is key in reducing visual impact and mimicking the character of other built form on surrounding valley sides. The LVIA methodology defines the 'high' magnitude of change as a major change in the view that is highly prominent and has a strong influence on the overall view but indicates the magnitude of harm from PRoW 25 in Year 15 would be moderate. Given my assessment above in relation to the limited space available for a greater density of planting alongside the central-eastern boundary, even during the months when leaves would be on trees, the LVIA significance of effects downplays the magnitude of change and overplays the beneficial effects of landscaping mitigation in this area. As such, effects upon completion and Year 15 for the site would be greater than the LVIA indicates. Even in the long-term there would be a permanent high, major adverse, magnitude of harm.

Summary

The Inspector concludes that the LVIA underestimates the visual effects of the proposal on users of PRoW 25. She finds that the assessment overstates the effectiveness of landscape mitigation and that the development would result in permanent, major adverse visual effects on the enjoyment of the footpath, including after 15 years.

Initial Thoughts

- This is one of the Inspector's strongest and most significant findings.
- The Inspector expressly disagrees with the appellant's assessment of visual effects.
- She concludes that the LVIA downplays the magnitude of change and overplays the benefits of landscape mitigation.
- She finds that the harm would remain permanent, high, major adverse and would continue into Year 15.
- Surely this remains the key question: has the applicant changed the proposals so fundamentally that this conclusion is no longer valid?
- Has the revised proposal genuinely overcome the Inspector's concerns, or does development adjacent to PRoW 25 continue to result in permanent adverse visual effects?
- Has the revised LVIA provided robust evidence to justify any different conclusion?

Additional Research Questions

PRoW 25

- Has the relationship between the development and PRoW 25 materially changed?
- Have the revised engineering works reduced the visual impact experienced by users of the footpath?
- Has the landscape buffer been significantly widened or strengthened?
- Does the revised proposal fundamentally alter the experience of PRoW 25 compared with the appeal scheme?
- Have the physical constraints within the central-eastern section identified by the Inspector been removed or materially reduced?

Landscape Mitigation

- Has the revised proposal reduced its reliance upon future landscape mitigation?
- Is there now sufficient space to establish meaningful planting?
- Does the revised Landscape Masterplan demonstrate a materially different landscape strategy?
- Has the applicant demonstrated that the Inspector's concerns regarding long-term mitigation have been overcome?

LVIA Assessment

- Does the revised LVIA continue to rely upon Year 15 mitigation?
- Has the assessment methodology changed?
- Does the revised LVIA expressly acknowledge and respond to the Inspector's finding that the previous assessment downplayed the magnitude of change and overstated the benefits of landscape mitigation?
- What evidence has the applicant provided to justify any reduction in the assessed visual effects?
- Do the revised visualisations, viewpoints and photomontages support the applicant's conclusions?
- Does the evidence demonstrate that the Inspector's previous findings no longer apply?

Applicant's Response

- Do the revised Planning Statement, Design and Access Statement or LVIA specifically address the Inspector's findings in this paragraph?
- Has the applicant explained why the revised proposal should now be regarded differently?
- Are those conclusions consistently supported by the revised drawings, sections and visual evidence?

General Observation

Paragraph 39 represents the Inspector's strongest criticism of the appellant's Landscape and Visual Impact Assessment. Unlike the preceding paragraphs, which consider the adequacy of the proposed landscape mitigation, this paragraph directly challenges the conclusions reached within the LVIA itself. The Inspector concludes that the assessment underestimates the magnitude of visual change experienced by users of Public Right of Way 25 and places undue reliance upon the future effectiveness of landscape mitigation.

The Inspector accepts that landscape planting would soften the appearance of the development over time but concludes that the limited opportunity for meaningful planting alongside the central-eastern section of PRow 25 fundamentally restricts the effectiveness of that mitigation. She therefore rejects the appellant's assessment that the residual visual effects would reduce to a moderate level by Year 15, instead concluding that users of the footpath would continue to experience permanent, high, major adverse visual effects.

The revised application should therefore be assessed to determine whether the proposal has been materially altered in a way that addresses the physical constraints identified by the Inspector, including the relationship between PRow 25, the proposed earthworks, retaining structures and available landscape buffer. Particular consideration should also be given to whether the revised Landscape and Visual Impact Assessment expressly responds to the Inspector's criticism that the previous assessment underestimated the magnitude of change and overstated the benefits of landscape mitigation.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust supporting evidence capable of demonstrating that the Inspector's findings regarding the permanent visual effects experienced by users of PRow 25 no longer apply, or whether the revised proposals continue to rely upon substantially the same landscape strategy and long-term mitigation assumptions considered at the appeal.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 39

The amended Landscape and Visual Impact Assessment has been reviewed to determine whether the revised assessment expressly responds to the Inspector's criticism that the appeal LVIA underestimated the magnitude of visual change experienced by users of Public Right of Way 25 and overstated the effectiveness of the proposed landscape mitigation. Particular consideration has been given to the assessment of Year 15 effects, the predicted magnitude of change, the significance of effects and the evidence relied upon to justify any revised conclusions.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 39

The amended Landscape Masterplan has been reviewed to determine whether the revised landscape strategy provides a materially different approach to mitigation adjacent to Public Right of Way 25. Particular attention has been given to whether the revised planting proposals overcome the Inspector's concerns regarding the limited opportunity for meaningful landscape buffering within the central-eastern section of the site.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 39

The amended Proposed Site Layout has been reviewed to assess whether revisions to the disposition of development adjacent to Public Right of Way 25 materially alter the relationship between the proposed development, the footpath and the surrounding landscape, thereby reducing the visual effects identified by the Inspector.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 39

The amended Proposed Site Sections have been reviewed to determine whether revisions to levels, earthworks and the overall engineering strategy materially reduce the physical constraints identified by the Inspector or improve opportunities for meaningful landscape mitigation alongside Public Right of Way 25.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 39

The amended Retaining Wall Sections have been reviewed to assess whether revisions to the retaining structures materially reduce their visual prominence or alter the relationship between the proposed development, the landscape buffer and Public Right of Way 25.

Document 119 – Planning Statement

Relevant to Paragraph 39

The Planning Statement has been reviewed to determine whether the applicant specifically addresses the Inspector's findings regarding the permanent visual effects experienced by users of Public Right of Way 25 and explains why the revised proposal should now be assessed differently.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 39

The amended Design and Access Statement has been reviewed to identify any design amendments intended to reduce the visual effects experienced by users of Public Right of Way 25, including revisions to the layout, engineering works, landscape strategy and settlement edge.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 39

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers relevant to Public Right of Way 25 and to determine whether any changes are specifically intended to overcome the Inspector's findings regarding the magnitude of visual change, the effectiveness of landscape mitigation and the long-term visual effects of the development.

Document 75 – Committee Report

Relevant to Paragraph 39

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the revised application materially addresses the Inspector's findings regarding the permanent visual effects experienced by users of Public Right of Way 25 and whether the amended proposals justify a different conclusion to that reached at the appeal.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's findings regarding the permanent visual effects experienced by users of Public Right of Way 25 no longer apply.

Particular consideration has been given to whether the amended Landscape and Visual Impact Assessment, Landscape Masterplan, revised layout, engineering proposals and retaining wall details demonstrate material physical changes capable of reducing the visual effects identified by the Inspector. The review also considers whether the revised application provides objective evidence demonstrating that the previous Landscape and Visual Impact Assessment no longer underestimates the magnitude of change or overstates the effectiveness of landscape mitigation, particularly in relation to the central-eastern section of Public Right of Way 25.

The assessment is evidence-led and considers the revised Landscape and Visual Impact Assessment, visual evidence, landscape proposals, engineering drawings and supporting planning documents collectively to determine whether the revised application materially alters the Inspector's conclusions regarding the permanent, high, major adverse visual effects experienced by users of Public Right of Way 25, or whether it continues to rely upon substantially the same landscape strategy, assessment methodology and long-term mitigation assumptions considered at the appeal.

Documents Reviewed

Primary Documents

26–28 – Amended Landscape and Visual Impact Assessment

24 – Amended Landscape Masterplan

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

61/62 – Amended Retaining Wall Sections

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

65/66 – Schematic Finished Levels

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Has the relationship between the development and PRoW 25 materially changed?

Have the revised engineering works reduced the visual impact experienced by users of the footpath?

Has the landscape buffer been materially widened or strengthened?

Does the revised proposal fundamentally alter the experience of PRoW 25 compared with the appeal scheme?

Have the physical constraints within the central-eastern section identified by the Inspector been removed or materially reduced?

Evidence-based Answer

Comparison of the amended Proposed Site Layout, Proposed Site Sections, Retaining Wall Sections and Landscape Masterplan demonstrates refinements to the layout, engineering works and landscape proposals adjacent to PRoW 25. However, the revised development continues to occupy broadly the same relationship with the footpath, and no objective evidence has been identified demonstrating that this relationship has been materially altered from that considered by the Inspector.

The revised engineering proposals respond to aspects of the appeal decision through amendments to levels and retaining structures. However, comparison with the appeal drawings has not identified objective evidence demonstrating that the extensive earthworks identified by the Inspector within the central-eastern section of the site have been materially reduced.

The amended Landscape Masterplan includes revisions to structural planting and the landscape framework adjacent to PRoW 25. Whilst these amendments refine the proposed landscape treatment, no objective evidence has been identified demonstrating that a materially wider or more effective landscape buffer has been achieved within the central-eastern section identified by the Inspector.

The revised application continues to acknowledge PRoW 25 as a highly sensitive visual receptor. However, no objective evidence has been identified demonstrating that the revised proposals materially alter the openness, visual relationship or overall experience of the route when compared with the appeal scheme.

No. Comparison of the revised layout, sections, retaining wall details and Landscape Masterplan has not identified objective evidence demonstrating that the physical constraints relied upon by the Inspector, including the relationship between the earthworks, proposed development and available landscape buffer, have been materially altered.

Research Question

Evidence-based Answer

Has the revised proposal reduced its reliance upon future landscape mitigation?

No. The revised Landscape and Visual Impact Assessment continues to rely upon the establishment and long-term maturation of structural planting to soften the visual effects of the development. No objective evidence has been identified demonstrating that the immediate visual effects have been materially reduced independently of future landscape establishment.

Is there now sufficient space to establish meaningful planting?

The revised application continues to provide structural planting adjacent to PRow 25. However, no objective evidence has been identified demonstrating that the available space for meaningful planting within the central-eastern section of the site has been materially increased when compared with the appeal scheme.

Does the revised Landscape Masterplan demonstrate a materially different landscape strategy?

The amended Landscape Masterplan demonstrates refinements to structural planting and landscape treatment. However, comparison with the appeal Landscape Masterplan indicates that the overall landscape strategy remains substantially the same and continues to rely upon future planting to moderate visual effects.

Has the applicant demonstrated that the Inspector's concerns regarding long-term mitigation have been overcome?

No objective evidence has been identified demonstrating that the revised proposals materially overcome the Inspector's concerns regarding the long-term effectiveness of landscape mitigation adjacent to PRow 25.

Does the revised LVIA continue to rely upon Year 15 mitigation?

Yes. The revised Landscape and Visual Impact Assessment continues to assess visual effects following the establishment of landscape mitigation and relies upon Year 15 planting to reduce the significance of visual effects experienced by users of PRow 25.

Has the assessment methodology changed?

The revised LVIA includes updated visual evidence and reflects amendments to the proposed scheme. However, no objective evidence has been identified demonstrating a fundamental change to the methodology adopted in assessing visual effects.

Research Question

Does the revised LVIA expressly acknowledge and respond to the Inspector's finding that the previous assessment downplayed the magnitude of change and overstated the benefits of landscape mitigation?

What evidence has the applicant provided to justify any reduction in the assessed visual effects?

Do the revised visualisations, viewpoints and photomontages support the applicant's conclusions?

Do the revised visualisations accurately represent the central-eastern section of PRoW 25 and the limited depth available for landscape mitigation?

Does the submitted evidence demonstrate that the Inspector's previous finding of permanent high, major adverse harm no longer applies?

Evidence-based Answer

The revised LVIA explains the revised assessment of visual effects and landscape mitigation. However, the comparative review has not identified objective evidence demonstrating that the revised assessment materially addresses the Inspector's criticism that the appeal LVIA underestimated the magnitude of change and overestimated the effectiveness of landscape mitigation alongside PRoW 25.

The applicant relies upon the revised LVIA, Landscape Masterplan, updated viewpoints, photomontages and supporting planning documents. However, no objective evidence has been identified demonstrating that these revisions materially justify a lower assessment of visual effects than that previously considered by the Inspector.

The revised visual evidence is generally consistent with the conclusions presented within the revised LVIA. However, no objective evidence has been identified demonstrating that the revised visual evidence materially alters the Inspector's assessment of the visual effects experienced by users of PRoW 25.

The revised visual evidence illustrates the relationship between the proposed development and PRoW 25. However, the comparative review has not identified objective evidence demonstrating that the submitted material materially alters the Inspector's conclusions regarding the limited opportunity for meaningful landscape mitigation within the central-eastern section of the site.

No. The comparative review has not identified objective evidence demonstrating that the revised proposals materially alter the Inspector's conclusion that users of PRoW 25 would continue to experience permanent, high, major adverse visual effects.

Principal Question

Has the applicant demonstrated, through substantive changes to the proposal and robust supporting evidence, that the Inspector's finding of permanent, high, major adverse visual effects on users of PRoW 25 no longer applies?

Evidence-based Answer

The revised application continues to assess the visual effects experienced by users of Public Right of Way 25 through the amended Landscape and Visual Impact Assessment, supported by the revised Landscape Masterplan, updated viewpoints, photomontages and accompanying planning documents. The applicant concludes that revisions to the landscape framework, engineering proposals and structural planting improve the visual relationship between the proposed development and the footpath and that, as the planting matures, the residual visual effects will reduce over time.

The amended Landscape Masterplan continues to rely upon structural planting alongside the site boundaries and within the development to soften views from PRow 25. The revised Landscape and Visual Impact Assessment similarly continues to assess visual effects following the establishment of landscape mitigation and concludes that the proposed planting will reduce the significance of visual effects in the longer term. The Planning Statement and supporting documents explain how the revised proposals are intended to improve the landscape transition and visual integration of the development.

However, the Inspector's findings in this paragraph went beyond a simple disagreement regarding landscape mitigation. She expressly concluded that the appeal LVIA underestimated the magnitude of visual change experienced by users of PRow 25 and overstated the effectiveness of landscape mitigation, particularly within the central-eastern section of the site where limited space was available for meaningful planting. Comparison with the amended Landscape Masterplan, Proposed Site Layout, Site Sections, Retaining Wall Sections and revised Landscape and Visual Impact Assessment has not identified objective evidence demonstrating that these physical constraints have been materially altered. Whilst the revised application refines aspects of the landscape framework and supporting evidence, it continues to rely upon substantially the same long-term mitigation strategy and assumptions regarding the effectiveness of Year 15 planting.

The revised application therefore provides additional supporting evidence but does not demonstrate that the Inspector's criticism of the previous Landscape and Visual Impact Assessment has been materially addressed, nor that the permanent visual effects experienced by users of Public Right of Way 25 would now be materially less than those identified at the appeal.

Evidence-based Conclusion

Paragraph 39 represents the Inspector's clearest rejection of the appellant's assessment of visual effects. She concluded that the appeal Landscape and Visual Impact Assessment downplayed the magnitude of change experienced by users of Public Right of Way 25 and placed undue reliance upon the long-term benefits of landscape mitigation. Having considered both the submitted evidence and her own observations of the site, she concluded that the limited opportunity for meaningful planting alongside the central-eastern section of the footpath meant that users would continue to experience permanent, high, major adverse visual effects, including after 15 years.

The revised application seeks to respond through updated landscape evidence, revised engineering proposals, amendments to the Landscape Masterplan and additional visual material. These documents demonstrate that the applicant has reviewed the landscape strategy and provided a more comprehensive evidential basis for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the physical circumstances underpinning the Inspector's conclusions have materially changed. The revised application continues to rely upon substantially the same relationship between PRoW 25, the proposed development, the earthworks and the available landscape buffer. It also continues to rely upon the successful establishment and long-term effectiveness of landscape planting to reduce visual effects. No evidence has been identified demonstrating that the revised proposals materially overcome the Inspector's conclusion that the appeal LVIA underestimated the magnitude of change or overestimated the effectiveness of landscape mitigation. Accordingly, the evidence does not demonstrate that the Inspector's finding of permanent, high, major adverse visual effects on users of PRoW 25 no longer applies.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application provides additional visual evidence, refinements to the landscape strategy and updated supporting documentation, these revisions principally strengthen the presentation of the applicant's case rather than materially alter the physical relationship between Public Right of Way 25, the proposed development and the available landscape buffer.

The Inspector's conclusion in Paragraph 39 was founded upon both her own site observations and her assessment that the appeal Landscape and Visual Impact Assessment underestimated the magnitude of visual change and overstated the effectiveness of long-term landscape mitigation. The comparative review has not identified objective evidence demonstrating that those underlying physical constraints have been materially overcome or that the revised proposals justify a different assessment of the long-term visual effects experienced by users of Public Right of Way 25. Accordingly, this matter is considered not addressed.

Paragraph 40

Inspector's Point

40. The LVIA indicates that due to the maturation of mitigation planting to the eastern boundary in viewpoints 4, 6, 7 and 9 the magnitude of change to views would change from low/medium/high in Year 1 to very low/low in Year 15, which would result in a minor/moderate adverse effect in Year 15. However, for the same reasons given above in relation to the limited space to provide meaningful landscaping mitigation within the central-eastern part of the site, I am not convinced the resultant effect in the long term would be as predicted but would be higher. I do, however, recognise that views would lessen with distance and that the experience and views of the viewer would vary depending upon relative elevation, angle and screening. Views would also be intermittent, transitioning and changing as the viewer moves towards and away from the viewpoints identified.

Summary

The Inspector rejects the LVIA's prediction that landscape mitigation would reduce visual effects to minor or moderate adverse levels by Year 15 at several viewpoints. Whilst accepting that visual effects vary according to distance, elevation and screening, she concludes that the long-term effects would remain greater than the appellant predicts because of the limited opportunity for meaningful landscape mitigation.

Initial Thoughts

- The Inspector again rejects the appellant's assessment of the long-term visual effects.
- She accepts that views change depending upon location, elevation and movement through the landscape.
- His principal concern remains the limited opportunity for meaningful landscape mitigation.
- Surely this remains the key question: has the applicant changed the proposals sufficiently to overcome this conclusion?
- Has the revised proposal materially increased the space available for landscape mitigation, or does it continue to rely upon the same assumptions regarding Year 15 planting?
- How can the housing no longer have the same adverse effect on PRow 25 and the identified viewpoints if the relationship between the development and the landscape remains fundamentally the same?
- Has the revised LVIA provided compelling evidence to justify a different conclusion?

- The Inspector accepts that visual effects vary between viewpoints, but concludes that this does not alter her overall finding regarding the effectiveness of long-term landscape mitigation. Has the revised evidence demonstrated otherwise?

Additional Research Questions

Visual Effects

- Have the revised proposals materially altered the visual effects from Viewpoints 4, 6, 7 and 9?
- Has the relationship between the development and PRoW 25 changed?
- Do the revised visualisations demonstrate a materially different outcome?
- Do the revised viewpoints demonstrate that the Inspector's accepted variation in distance, elevation and screening now produces materially different long-term effects?

Landscape Mitigation

- Has the landscape buffer along the eastern boundary been significantly increased?
- Is there now sufficient space to establish meaningful landscape planting?
- Does the revised proposal continue to rely upon Year 15 landscape mitigation?
- Has the applicant demonstrated that the Inspector's concerns regarding long-term mitigation have been overcome?

LVIA Assessment

- Does the revised LVIA continue to assess the same viewpoints?
- Has the methodology or assessment changed?
- What evidence supports the revised conclusions?
- Do the revised viewpoints, photomontages and visualisations justify a different assessment from that reached by the Inspector?
- Has the applicant specifically addressed the Inspector's criticisms of the previous LVIA?
- Does the revised LVIA continue to predict that visual effects reduce to minor or moderate adverse by Year 15, and if so, what new evidence is provided to justify that conclusion?

Applicant's Response

- Do the revised Planning Statement, Design and Access Statement or LVIA explain how this aspect of the appeal decision has been addressed?
- Are those explanations supported by the revised drawings and landscape proposals?
- Has the applicant demonstrated that the revised proposals materially reduce the long-term visual effects identified by the Inspector?

General Observation

Paragraph 40 develops the Inspector's assessment of visual effects by considering a wider range of viewpoints beyond Public Right of Way 25. Whilst acknowledging that the visual experience of the development would vary according to distance, elevation, angle of view and the movement of the observer through the landscape, the Inspector nevertheless rejects the appellant's prediction that the visual effects would reduce to minor or moderate adverse levels by Year 15. She concludes that the Landscape and Visual Impact Assessment places undue reliance upon the long-term effectiveness of landscape mitigation and that the limited opportunity for meaningful planting within the central-eastern section of the site means the residual visual effects would remain greater than predicted.

Importantly, the Inspector does not dispute that visual effects differ between viewpoints or that screening, distance and topography influence the experience of individual receptors. Rather, she concludes that these factors do not overcome the fundamental limitation imposed by the restricted space available for effective landscape mitigation. Her reasoning therefore reflects a balanced assessment of the varying visual experience whilst maintaining that the overall long-term effects have been underestimated.

The revised application should therefore be assessed to determine whether the proposal has been materially altered in a manner that overcomes the physical constraints previously identified by the Inspector and whether the revised visual evidence demonstrates that the long-term visual effects experienced from Viewpoints 4, 6, 7 and 9 are now materially less than those previously assessed. Particular consideration should be given to whether the revised Landscape and Visual Impact Assessment provides objective evidence demonstrating why its predictions for Year 15 should now be preferred to the Inspector's conclusions.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust supporting evidence capable of demonstrating that the Inspector's findings regarding the long-term visual effects from Viewpoints 4, 6, 7 and 9 no longer apply, or whether the revised proposals continue to rely upon substantially the same landscape strategy, assessment methodology and assumptions regarding the effectiveness of long-term landscape mitigation considered at the appeal.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 40

The amended Landscape and Visual Impact Assessment has been reviewed to determine whether the revised assessment provides substantive evidence that the long-term visual effects experienced from Viewpoints 4, 6, 7 and 9 are materially less than those identified by the Inspector at the appeal. Particular consideration has been given to the Year 15 assessment, the predicted magnitude and significance of visual effects, and whether the revised LVIA expressly addresses the Inspector's criticism that the appeal assessment underestimated the magnitude of change and overstated the effectiveness of landscape mitigation.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 40

The amended Landscape Masterplan has been reviewed to determine whether revisions to the eastern landscape buffer and structural planting provide a materially different landscape strategy capable of reducing the long-term visual effects identified by the Inspector. Particular attention has been given to whether meaningful opportunities for additional planting have been created within the central-eastern section of the site.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 40

The amended Proposed Site Layout has been reviewed to assess whether revisions to the disposition of development materially alter the relationship between the proposed housing, the eastern site boundary and the viewpoints considered by the Inspector, thereby reducing the predicted long-term visual effects.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 40

The amended Proposed Site Sections have been reviewed to determine whether revisions to site levels, landform and engineering works materially reduce the visual prominence of the development or improve opportunities for meaningful landscape mitigation alongside the eastern boundary.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 40

The amended Retaining Wall Sections have been reviewed to assess whether revisions to the retaining structures materially reduce their visual prominence or alter the physical constraints identified by the Inspector as limiting the effectiveness of long-term landscape mitigation.

Document 119 – Planning Statement

Relevant to Paragraph 40

The Planning Statement has been reviewed to determine whether the applicant specifically addresses the Inspector's findings regarding the long-term visual effects from Viewpoints 4, 6, 7 and 9 and explains why the revised proposals should now be expected to perform differently.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 40

The amended Design and Access Statement has been reviewed to identify any design amendments intended to reduce the long-term visual effects of the development, including revisions to the layout, engineering works, landscape strategy and settlement edge.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 40

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers relevant to the long-term visual assessment and to determine whether any revisions are specifically intended to address the Inspector's concerns regarding Year 15 visual effects and the effectiveness of landscape mitigation.

Document 75 – Committee Report

Relevant to Paragraph 40

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the revised application materially addresses the Inspector's findings regarding the long-term visual effects from Viewpoints 4, 6, 7 and 9 and whether the amended proposals justify a different conclusion to that reached at the appeal.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's findings regarding the long-term visual effects experienced from Viewpoints 4, 6, 7 and 9 no longer apply.

Particular consideration has been given to whether the amended Landscape and Visual Impact Assessment, Landscape Masterplan, revised layout, engineering proposals and retaining wall details demonstrate material physical changes capable of reducing the long-term visual effects identified by the Inspector. The review also considers whether the revised application provides objective evidence demonstrating that the previous Landscape and Visual Impact Assessment no longer underestimates the magnitude of change or overstates the effectiveness of landscape mitigation, particularly in relation to the eastern site boundary and the viewpoints specifically identified by the Inspector.

The assessment is evidence-led and considers the revised Landscape and Visual Impact Assessment, visual evidence, landscape proposals, engineering drawings and supporting planning documents collectively to determine whether the revised application materially alters the Inspector's conclusions regarding the long-term visual effects experienced from Viewpoints 4, 6, 7 and 9, or whether it continues to rely upon substantially the same landscape strategy, assessment methodology and long-term mitigation assumptions considered at the appeal.

Documents Reviewed

Primary Documents

26–28 – Amended Landscape and Visual Impact Assessment

24 – Amended Landscape Masterplan

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

61/62 – Amended Retaining Wall Sections

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

65/66 – Schematic Finished Levels

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Have the revised proposals materially altered the visual effects from Viewpoints 4, 6, 7 and 9?

Evidence-based Answer

The revised Landscape and Visual Impact Assessment includes updated visual evidence from Viewpoints 4, 6, 7 and 9. Comparison with the appeal material demonstrates refinements to the landscape proposals and supporting assessment. However, no objective evidence has been identified demonstrating that the long-term visual effects from these viewpoints have been materially reduced when compared with those considered by the Inspector.

Research Question

Evidence-based Answer

Has the relationship between the development and PRow 25 changed?

Comparison of the amended Proposed Site Layout, Proposed Site Sections, Retaining Wall Sections and Landscape Masterplan demonstrates refinements to the layout, engineering works and landscape proposals. However, the revised development continues to occupy broadly the same relationship with PRow 25 and the eastern site boundary, and no objective evidence has been identified demonstrating that this relationship has been materially altered.

Do the revised visualisations demonstrate a materially different outcome?

The revised application provides updated visualisations and photomontages. However, whilst these illustrate the amended proposals, the comparative review has not identified objective evidence demonstrating that they depict a materially different long-term visual outcome from that considered by the Inspector.

Do the revised viewpoints demonstrate that the Inspector's accepted variation in distance, elevation and screening now produces materially different long-term effects?

The revised visual evidence continues to acknowledge that visual effects vary according to distance, elevation and intervening vegetation. However, no objective evidence has been identified demonstrating that these factors now result in materially different long-term visual effects from those identified by the Inspector.

Has the landscape buffer along the eastern boundary been materially increased?

The amended Landscape Masterplan includes refinements to structural planting along the eastern boundary. However, comparison with the appeal Landscape Masterplan has not identified objective evidence demonstrating that the available landscape buffer has been materially increased where the Inspector identified the greatest limitations.

Is there now sufficient space to establish meaningful landscape planting?

The revised application continues to provide structural planting adjacent to the eastern boundary. However, no objective evidence has been identified demonstrating that the physical space available for meaningful planting has been materially increased when compared with the appeal scheme.

Does the revised proposal continue to rely upon Year 15 landscape mitigation?

Yes. The revised Landscape and Visual Impact Assessment continues to rely upon the establishment and long-term maturation of landscape planting when assessing the reduction in visual effects by Year 15.

Research Question

Has the applicant demonstrated that the Inspector's concerns regarding long-term mitigation have been overcome?

Does the revised LVIA continue to assess the same viewpoints?

Has the methodology or assessment changed?

What evidence supports the revised conclusions?

Do the revised viewpoints, photomontages and visualisations justify a different assessment from that reached by the Inspector?

Has the applicant specifically addressed the Inspector's criticisms of the previous LVIA?

Does the revised LVIA continue to predict that visual effects reduce to minor or moderate adverse by Year 15, and if so, what new evidence is provided to justify that conclusion?

Evidence-based Answer

No objective evidence has been identified demonstrating that the revised proposals materially overcome the Inspector's concerns regarding the long-term effectiveness of landscape mitigation or the limited opportunity for meaningful planting along the eastern boundary.

Yes. The revised LVIA continues to assess the principal viewpoints considered at the appeal, including Viewpoints 4, 6, 7 and 9, whilst providing updated visual material to support the revised application.

The revised LVIA reflects amendments to the proposed scheme and updated visual evidence. However, no objective evidence has been identified demonstrating a fundamental change to the methodology or underlying approach to assessing long-term visual effects.

The applicant relies upon the revised LVIA, Landscape Masterplan, updated viewpoints, photomontages, Planning Statement and supporting drawings to justify the revised assessment of long-term visual effects.

Whilst the revised visual evidence supports the applicant's assessment, the comparative review has not identified objective evidence demonstrating that it justifies a materially different assessment of the long-term visual effects from that reached by the Inspector.

The revised LVIA explains the amendments made to the scheme and presents updated visual evidence. However, no objective evidence has been identified demonstrating that it materially addresses the Inspector's criticism that the previous assessment underestimated the magnitude of change and overstated the effectiveness of long-term landscape mitigation.

The revised LVIA continues to conclude that landscape mitigation will substantially reduce visual effects by Year 15. However, whilst additional visual material and revised landscape proposals are presented, no objective evidence has been identified demonstrating that the underlying assumptions regarding the effectiveness of long-term mitigation have materially changed from those considered by the Inspector.

Research Question

Do the revised Planning Statement, Design and Access Statement or LVIA explain how this aspect of the appeal decision has been addressed?

Are those explanations supported by the revised drawings and landscape proposals?

Has the applicant demonstrated that the revised proposals materially reduce the long-term visual effects identified by the Inspector?

Evidence-based Answer

Yes. The revised supporting documents explain how the applicant considers the amendments to the scheme and landscape strategy respond to the appeal decision. However, no objective evidence has been identified demonstrating that these explanations materially alter the Inspector's conclusions regarding the long-term visual effects.

The revised drawings and landscape proposals are generally consistent with the conclusions presented within the supporting documents. However, the comparative review has not identified objective evidence demonstrating that they materially reduce the long-term visual effects identified by the Inspector.

No. The comparative review has not identified objective evidence demonstrating that the revised proposals materially reduce the long-term visual effects experienced from Viewpoints 4, 6, 7 and 9 or that the Inspector's conclusions regarding Year 15 visual effects no longer apply.

Principal Question

Has the applicant demonstrated, through substantive amendments and robust supporting evidence, that the Inspector's concerns regarding the long-term visual effects from Viewpoints 4, 6, 7 and 9 no longer apply?

Evidence-based Answer

The revised application continues to assess the long-term visual effects of the proposed development through the amended Landscape and Visual Impact Assessment, supported by the revised Landscape Masterplan, updated viewpoints, photomontages and accompanying planning documents. The applicant concludes that revisions to the landscape framework, engineering proposals and structural planting will reduce the visual effects experienced from Viewpoints 4, 6, 7 and 9 over time, resulting in minor or moderate adverse effects following the establishment of landscape mitigation.

The amended Landscape Masterplan continues to rely upon structural planting along the eastern boundary and within the development to soften views from the identified viewpoints. The revised Landscape and Visual Impact Assessment similarly continues to predict that the maturation of planting by Year 15 will substantially reduce the magnitude and significance of visual effects.

The Planning Statement and supporting documents explain how the revised proposals are intended to improve landscape integration and strengthen the long-term effectiveness of the proposed mitigation.

However, the Inspector's findings in this paragraph were not that visual effects would remain constant across all viewpoints. She accepted that the experience of users would vary according to distance, elevation, angle of view and intervening vegetation. Nevertheless, she concluded that these variations did not overcome the fundamental limitation created by the restricted opportunity for meaningful landscape mitigation alongside the central-eastern section of the site. She therefore rejected the appellant's prediction that visual effects would reduce to minor or moderate adverse levels by Year 15. Comparison with the amended Landscape Masterplan, Proposed Site Layout, Site Sections, Retaining Wall Sections and revised Landscape and Visual Impact Assessment has not identified objective evidence demonstrating that these underlying physical constraints have been materially altered. Whilst the revised application refines aspects of the landscape strategy and supporting evidence, it continues to rely upon substantially the same assumptions regarding the effectiveness of long-term landscape mitigation.

The revised application therefore provides additional supporting evidence but does not demonstrate that the Inspector's concerns regarding the long-term visual effects experienced from Viewpoints 4, 6, 7 and 9 have been materially overcome, nor that the revised proposals justify a different assessment of Year 15 visual effects.

Evidence-based Conclusion

Paragraph 40 demonstrates that the Inspector undertook a balanced assessment of the visual effects experienced from a range of viewpoints. She accepted that visual effects would naturally vary according to distance, elevation, screening and the movement of the observer through the landscape. However, she concluded that these variations did not alter her overall judgement that the appeal Landscape and Visual Impact Assessment underestimated the long-term visual effects of the proposal by placing undue reliance upon the future effectiveness of landscape mitigation.

The revised application seeks to respond through updated landscape evidence, revised engineering proposals, amendments to the Landscape Masterplan and additional visual material. These documents demonstrate that the applicant has refined the proposed landscape strategy and provided a more comprehensive evidential basis for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the physical circumstances underpinning the Inspector's conclusions have materially changed. The revised application continues to rely upon substantially the same relationship between the proposed development, the eastern site boundary and the available landscape buffer, together with the same assumptions regarding the long-term effectiveness of landscape mitigation. No evidence has been identified demonstrating that the revised proposals materially overcome the Inspector's conclusion that the long-term visual effects from Viewpoints 4, 6, 7 and 9 would remain greater than predicted within the appeal LVIA.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application provides updated visual evidence, refinements to the landscape strategy and revised supporting documentation, these revisions principally strengthen the presentation of the applicant's case rather than materially alter the physical relationship between the proposed development, the eastern site boundary and the viewpoints assessed by the Inspector.

The Inspector's conclusion in Paragraph 40 accepted that visual effects would vary according to distance, elevation, angle of view and screening. However, she concluded that these factors did not overcome the limited opportunity for meaningful landscape mitigation or justify the long-term visual effects predicted by the appeal Landscape and Visual Impact Assessment. The comparative review has not identified objective evidence demonstrating that those underlying physical constraints have been materially overcome or that the revised proposals justify a different assessment of the long-term visual effects experienced from Viewpoints 4, 6, 7 and 9. Accordingly, this matter is considered not addressed.

Paragraph 41

Inspector's Point

41. Viewpoint 8 relates to people using or living on Salesbury View who, as acknowledged in the LVIA would experience a high magnitude of change in Years 1 and 15 resulting from a major adverse effect even with landscape mitigation. The quantum of development and its urban form would be in stark contrast to the current undeveloped fields. This would also be the case when viewed from surrounding properties on Whalley Road, Wilpshire Banks and Hollowhead Avenue.

Summary

The Inspector notes that the LVIA itself identifies Viewpoint 8 as experiencing a high magnitude of change and a major adverse effect in both Year 1 and Year 15, despite the proposed landscape mitigation. She agrees that the scale and urban form of the development would be in stark contrast to the existing undeveloped landscape and that similar effects would be experienced from surrounding residential areas.

Initial Thoughts

- This is one of the Inspector's most significant findings regarding visual effects.
- The appellant's own LVIA identifies major adverse effects at Viewpoint 8 in both Year 1 and Year 15.
- This paragraph differs from the preceding visual assessment because the Inspector is not rejecting the appellant's conclusions at this viewpoint; rather, she relies upon the appellant's own assessment that major adverse effects would remain despite landscape mitigation.

- Is this still the case in the revised LVIA?
- Has the applicant materially reduced the visual effects experienced from Salesbury View, Whalley Road, Wilpshire Banks and Hollowhead Avenue?
- The assessment of each viewpoint, and how it has changed from the appeal scheme, appears pivotal to the review of the revised application.
- If the applicant continues to identify major adverse effects from this viewpoint, why has a verified photomontage not been provided to illustrate that impact?
- Has the omission of a verified photomontage for Viewpoint 8 reduced the ability of the decision-maker to independently assess one of the most significantly affected viewpoints?
- Do the submitted visualisations accurately represent the most harmful viewpoints?

Additional Research Questions

Viewpoint 8

- Does the revised LVIA continue to identify a major adverse effect at Viewpoint 8?
- If not, what evidence is provided to justify the change?
- Have the revised proposals materially altered the appearance of the development from this viewpoint?
- Has the relationship between the development and Salesbury View changed?

Viewpoint Assessment

- Prepare a comparison of every assessed viewpoint between the appeal scheme and the revised application.
- Which viewpoints have improved?
- Which viewpoints remain unchanged?
- Which viewpoints continue to record major adverse effects?
- Does Viewpoint 8 remain one of the most adversely affected viewpoints within the revised LVIA?
- Are any new viewpoints included or existing viewpoints omitted?

Visual Evidence

- Has the applicant provided verified photomontages for the viewpoints identified as experiencing the greatest visual effects?
- Why has a verified photomontage not been provided for Viewpoint 8 if it remains one of the most adversely affected receptors?
- Does the omission of a verified photomontage for Viewpoint 8 materially limit independent assessment of the revised proposals?
- Do the submitted visualisations fairly represent the worst-case views?
- Is additional visual evidence required to properly assess this viewpoint?

Applicant's Response

- Do the revised Planning Statement and LVIA specifically explain how the Inspector's findings regarding Viewpoint 8 have been addressed?
- Is there robust evidence demonstrating that the visual effects have been reduced?
- Are the conclusions supported by the revised drawings, sections and landscape proposals?

General Observation

Paragraph 41 differs from the preceding visual assessment by considering a viewpoint where the appellant's own Landscape and Visual Impact Assessment accepted that the proposed development would result in a high magnitude of visual change and major adverse effects in both Year 1 and Year 15. Unlike earlier paragraphs, the Inspector is not rejecting the appellant's assessment of visual effects at this location; rather, she expressly relies upon it as evidence supporting her own conclusions. The Inspector also extends this reasoning to surrounding residential receptors on Salesbury View, Whalley Road, Wilpshire Banks and Hollowhead Avenue, concluding that the urban form and scale of the development would remain in stark contrast to the existing undeveloped fields.

The Inspector's findings therefore raise two distinct evidential questions. Firstly, whether the revised proposals have materially reduced the visual effects experienced from Viewpoint 8 and the surrounding residential receptors. Secondly, whether the revised application provides sufficiently robust visual evidence to demonstrate any such improvement, particularly where the appellant's own assessment previously accepted major adverse effects. Particular consideration should therefore be given to whether Viewpoint 8 continues to represent one of the most significantly affected viewpoints and whether the omission of a verified photomontage limits the ability of the decision-maker to independently assess the revised proposals.

The revised application should therefore be assessed to determine whether substantive design amendments, revised engineering proposals or changes to the landscape strategy have materially altered the appearance of the development from Viewpoint 8 and the surrounding residential areas. Consideration should also be given to whether the revised Landscape and Visual Impact Assessment continues to identify major adverse effects at this location and, if a different conclusion is now reached, whether objective evidence has been provided to justify that change.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust visual evidence capable of demonstrating that the Inspector's findings regarding the major adverse visual effects experienced from Viewpoint 8 and the surrounding residential receptors no longer apply, or whether the revised proposals continue to result in the same fundamental visual relationship identified at the appeal.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment

Relevant to Paragraph 41

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the revised assessment continues to identify major adverse visual effects from Viewpoint 8 and the surrounding residential receptors or whether the revised proposals materially reduce those effects. Particular consideration has been given to the assessment of Year 1 and Year 15 visual effects, the predicted magnitude and significance of change, and whether the visual evidence provides objective support for any revised conclusions. It is also noted that whilst verified photomontages are provided for a number of viewpoints, no verified photomontage has been identified for Viewpoint 8, notwithstanding the Inspector's findings that this represents one of the most significantly affected viewpoints.

Document 119 – Planning Statement

Relevant to Paragraph 41

The Planning Statement has been reviewed to determine whether the applicant specifically addresses the Inspector's findings regarding Viewpoint 8 and explains why the revised proposals should now be expected to result in materially reduced visual effects for surrounding residential receptors.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 41

The amended Proposed Site Layout has been reviewed to assess whether revisions to the disposition, scale and arrangement of the proposed development materially alter its appearance when viewed from Salesbury View, Whalley Road, Wilpshire Banks and Hollowhead Avenue.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 41

The amended Proposed Site Sections have been reviewed to determine whether revisions to site levels, landform and engineering works materially reduce the visual prominence of the proposed development from the surrounding residential viewpoints identified by the Inspector.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 41

The amended Landscape Masterplan has been reviewed to determine whether revisions to the landscape framework materially improve the visual relationship between the proposed development and the surrounding residential receptors, particularly from Viewpoint 8.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 41

The amended Design and Access Statement has been reviewed to identify any design amendments intended to reduce the visual effects experienced from Viewpoint 8 and the surrounding residential areas, including revisions to layout, building disposition, engineering works and landscape strategy.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 41

The amended Retaining Wall Sections have been reviewed to assess whether revisions to the retaining structures materially reduce their visual prominence when viewed from surrounding residential receptors.

Documents 65/66 – Schematic Finished Levels

Relevant to Paragraph 41

The Schematic Finished Levels have been reviewed to determine whether revisions to proposed levels materially alter the visibility or prominence of the development from the viewpoints identified by the Inspector.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 41

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers relevant to the visual assessment from Viewpoint 8 and to determine whether any revisions are specifically intended to reduce the major adverse visual effects identified within both the appeal decision and the appellant's own LVIA.

Document 75 – Committee Report

Relevant to Paragraph 41

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the revised application materially addresses the Inspector's findings regarding the major adverse visual effects experienced from Viewpoint 8 and the surrounding residential receptors, and whether the amended proposals justify a different conclusion to that reached at the appeal.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's findings regarding the major adverse visual effects experienced from Viewpoint 8 and the surrounding residential receptors no longer apply.

Particular consideration has been given to whether the amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations, the revised Landscape Masterplan, amended layout, engineering proposals and supporting planning documents demonstrate material physical changes capable of reducing the visual effects experienced from Salesbury View, Whalley Road, Wilpshire Banks and Hollowhead Avenue. The review also considers whether the revised application provides robust visual evidence to justify any departure from the Inspector's findings, particularly where the appellant's own appeal Landscape and Visual Impact Assessment previously acknowledged major adverse effects at Viewpoint 8.

The assessment is evidence-led and considers the revised Landscape and Visual Impact Assessment, verified visualisations, landscape proposals, engineering drawings and supporting planning documents collectively to determine whether the revised application materially alters the visual relationship between the proposed development and the surrounding residential receptors, or whether it continues to rely upon substantially the same physical characteristics and landscape mitigation previously considered by the Inspector. Particular consideration has also been given to whether the omission of a verified photomontage for Viewpoint 8 affects the robustness of the visual evidence available to assess one of the Inspector's most significant visual concerns.

Documents Reviewed

Primary Documents

26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

24 – Amended Landscape Masterplan

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

61/62 – Amended Retaining Wall Sections

65/66 – Schematic Finished Levels

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Does the revised LVIA continue to identify a major adverse effect at Viewpoint 8?	The revised Landscape and Visual Impact Assessment has been reviewed to determine the assessment of Viewpoint 8. Whilst the visual assessment has been updated to reflect the amended proposals, no objective evidence has been identified demonstrating that the Inspector's findings regarding the significance of the visual effects have been materially displaced.
If not, what evidence is provided to justify the change?	Where revised conclusions are presented, the applicant relies upon the amended Landscape Masterplan, updated visual assessment, revised layout, engineering proposals and structural planting. However, no objective evidence has been identified demonstrating that these amendments materially alter the physical relationship between the proposed development and Viewpoint 8.
Have the revised proposals materially altered the appearance of the development from this viewpoint?	Comparison of the amended Proposed Site Layout, Proposed Site Sections, Landscape Masterplan and supporting visual evidence demonstrates refinements to the proposed scheme. However, no objective evidence has been identified demonstrating that the overall appearance of the development from Viewpoint 8 has been materially altered when compared with the appeal proposal.
Has the relationship between the development and Salesbury View changed?	The revised application retains broadly the same relationship between the proposed development and Salesbury View. No objective evidence has been identified demonstrating that this relationship has been materially altered through the revised proposals.

Research Question

Evidence-based Answer

Prepare a comparison of every assessed viewpoint between the appeal scheme and the revised application.

The comparative review demonstrates that the revised application provides updated visual evidence across the principal viewpoints. Whilst aspects of the landscape proposals and supporting assessment have been refined, no objective evidence has been identified demonstrating that the overall pattern of visual effects has materially changed from that considered at the appeal.

Which viewpoints have improved?

The revised visual evidence demonstrates refinements to landscape treatment and supporting assessment. However, no objective evidence has been identified demonstrating that any of the principal viewpoints experience a material improvement sufficient to alter the Inspector's overall conclusions regarding visual effects.

Which viewpoints remain unchanged?

The comparative review indicates that the principal viewpoints continue to reflect substantially the same visual relationships between the proposed development and the surrounding landscape. Whilst supporting evidence has been expanded, no objective evidence has been identified demonstrating a material change to the visual effects previously identified by the Inspector.

Which viewpoints continue to record major adverse effects?

The revised assessment has been reviewed alongside the appeal LVIA. However, no objective evidence has been identified demonstrating that the viewpoints previously identified as experiencing the greatest visual effects have been materially altered by the revised proposals.

Does Viewpoint 8 remain one of the most adversely affected viewpoints within the revised LVIA?

Comparison of the revised LVIA with the appeal material indicates that Viewpoint 8 continues to represent one of the most sensitive residential viewpoints. No objective evidence has been identified demonstrating that its significance within the overall visual assessment has materially changed.

Are any new viewpoints included or existing viewpoints omitted?

The revised application provides updated visual evidence. No additional evidence has been identified demonstrating that the revised viewpoint selection materially alters the overall assessment of visual effects.

Has the applicant provided verified photomontages for the viewpoints identified as experiencing the greatest visual effects?

Verified photomontages are provided for a number of viewpoints within Appendix C/D. However, no verified photomontage has been identified for Viewpoint 8 despite the Inspector identifying it as one of the most significantly affected viewpoints.

Research Question	Evidence-based Answer
Why has a verified photomontage not been provided for Viewpoint 8 if it remains one of the most adversely affected receptors?	The submitted documents do not explain the omission. No objective evidence has been identified within the application explaining why a verified photomontage has not been provided for this viewpoint.
Does the omission of a verified photomontage for Viewpoint 8 materially limit independent assessment of the revised proposals?	The absence of a verified photomontage reduces the amount of visual evidence available to independently assess one of the Inspector's most significant viewpoints. Whilst other visual material has been provided, no verified photomontage has been identified for Viewpoint 8.
Do the submitted visualisations fairly represent the worst-case views?	The revised application includes updated visual evidence from a range of viewpoints. However, in the absence of a verified photomontage for Viewpoint 8, no objective evidence has been identified demonstrating that the most adversely affected residential viewpoint is illustrated to the same standard as other locations.
Is additional visual evidence required to properly assess this viewpoint?	Given the Inspector's findings regarding the significance of Viewpoint 8 and the absence of a verified photomontage for that location, additional verified visual evidence would assist the independent assessment of the revised proposals.
Do the revised Planning Statement and LVIA specifically explain how the Inspector's findings regarding Viewpoint 8 have been addressed?	The revised Planning Statement and LVIA explain the amendments made to the scheme and landscape strategy. However, no objective evidence has been identified demonstrating that they materially overcome the Inspector's findings regarding the visual effects experienced from Viewpoint 8.
Is there robust evidence demonstrating that the visual effects have been reduced?	No. The comparative review has not identified objective evidence demonstrating that the revised proposals materially reduce the visual effects experienced from Viewpoint 8 or the surrounding residential receptors.
Are the conclusions supported by the revised drawings, sections and landscape proposals?	The revised drawings, sections and landscape proposals are generally consistent with the applicant's assessment. However, no objective evidence has been identified demonstrating that they materially alter the Inspector's conclusions regarding the visual effects experienced from Viewpoint 8 and the surrounding residential areas.

Principal Question

Has the applicant demonstrated, through substantive design amendments and robust visual evidence, that the Inspector's findings regarding the major adverse visual effects experienced from Viewpoint 8 and the surrounding residential receptors no longer apply?

Evidence-based Answer

The revised application continues to assess the visual effects experienced from Viewpoint 8 and the surrounding residential receptors through the amended Landscape and Visual Impact Assessment, supported by the revised Landscape Masterplan, updated visual evidence, engineering proposals and accompanying planning documents. The applicant concludes that revisions to the landscape framework, site layout and structural planting improve the visual relationship between the proposed development and the surrounding residential areas and will assist in integrating the development into the wider landscape over time.

The amended Landscape and Visual Impact Assessment and supporting Planning Statement explain how the revised proposals are intended to reduce visual effects through refinements to the proposed layout, landscape strategy and engineering works. The revised Landscape Masterplan similarly demonstrates amendments to structural planting intended to soften the appearance of the development when viewed from surrounding residential receptors.

However, the Inspector's findings in this paragraph differed from those in the preceding visual assessment because they relied, in part, upon the appellant's own Landscape and Visual Impact Assessment, which accepted that Viewpoint 8 would experience a high magnitude of change and major adverse visual effects in both Year 1 and Year 15. The Inspector agreed with that assessment and concluded that the scale and urban form of the proposed development would remain in stark contrast to the existing undeveloped fields, with similar effects extending to surrounding residential areas including Salesbury View, Whalley Road, Wilpshire Banks and Hollowhead Avenue.

Comparison of the amended Proposed Site Layout, Proposed Site Sections, Landscape Masterplan, revised Landscape and Visual Impact Assessment and supporting visual evidence has not identified objective evidence demonstrating that the physical relationship between the proposed development and these residential receptors has been materially altered. Whilst the revised application refines aspects of the landscape strategy and supporting evidence, no objective evidence has been identified demonstrating that the scale, urban form or visual prominence of the development has been materially reduced when compared with the appeal proposal. Furthermore, whilst verified photomontages have been provided for a number of viewpoints, no verified photomontage has been identified for Viewpoint 8 despite its significance within both the Inspector's reasoning and the appellant's own assessment.

The revised application therefore provides additional supporting evidence but does not demonstrate that the Inspector's findings regarding the major adverse visual effects experienced from Viewpoint 8 and the surrounding residential receptors have been materially overcome.

Evidence-based Conclusion

Paragraph 41 represents one of the Inspector's strongest findings regarding residential visual amenity because it is founded not only upon her own observations of the site but also upon the appellant's own Landscape and Visual Impact Assessment, which accepted that Viewpoint 8 would experience major adverse visual effects despite the proposed landscape mitigation. The Inspector concluded that the scale and urban form of the development would remain in stark contrast to the existing undeveloped fields and that similar effects would be experienced from surrounding residential areas.

The revised application seeks to respond through updated landscape evidence, revisions to the proposed layout, amended engineering proposals and additional visual material. These documents demonstrate that the applicant has refined aspects of the proposed landscape strategy and provided a more comprehensive evidential basis for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the physical relationship between the proposed development and the surrounding residential receptors has materially changed. Nor has evidence been identified demonstrating that the scale, urban form or visual prominence of the development has been materially reduced from the principal residential viewpoints identified by the Inspector. Whilst additional visual material has been submitted, no verified photomontage has been identified for Viewpoint 8, notwithstanding its importance within the Inspector's assessment. Accordingly, the evidence does not demonstrate that the Inspector's findings regarding the major adverse visual effects experienced from Viewpoint 8 and the surrounding residential receptors no longer apply.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application provides updated visual evidence, refinements to the landscape strategy and amendments to the proposed layout and engineering works, these revisions principally strengthen the presentation of the applicant's case rather than materially alter the physical relationship between the proposed development and the surrounding residential receptors identified by the Inspector.

The Inspector's conclusion in Paragraph 41 was supported by both her own site observations and the appellant's own Landscape and Visual Impact Assessment, which accepted that Viewpoint 8 would experience major adverse visual effects in both Year 1 and Year 15. The comparative review has not identified objective evidence demonstrating that the revised proposals materially reduce those effects or justify a different assessment of the development's scale, urban form or visual prominence. Furthermore, no verified photomontage has been identified for Viewpoint 8 to independently illustrate one of the Inspector's most significant viewpoints. Accordingly, this matter is considered not addressed.

Paragraph 42

Inspector's Point

42. However, this would be likely to be the case for any greenfield site allocated for development. While views would change, there would be a considerable depth of landscape buffer to surrounding properties, particularly within the northern part of the site. Due to its depth, it would ensure proposed dwellings would not appear overbearing when viewed from surrounding dwellings despite the incline of the land. I recognise the strength of representation from some members of the public and accept that the effects of the proposal would be significantly appreciated from surrounding properties. However, in planning terms, there is no right to a view. The relatively linear, stepped form of the development interspersed with landscaping would not be noticeably dissimilar to other housing developments located on rising land in the local area.

Summary

The Inspector acknowledges that the development would significantly alter existing views from surrounding properties but concludes that this is an inevitable consequence of developing an allocated greenfield site. She finds that the proposed landscape buffers would prevent the development appearing overbearing and that the stepped form of the development would not be materially different from other hillside developments in the locality.

Initial Thoughts

- The Inspector accepts that surrounding residents would experience a significant change in outlook.
- She distinguishes between a change in view and unacceptable planning harm.
- Has the revised proposal materially altered the balance struck by the Inspector between significant changes in outlook and the conclusion that the development would not appear overbearing in planning terms?
- The Inspector places considerable reliance upon the depth and effectiveness of the proposed landscape buffer.
- Is this still the case in the revised proposal?
- Has the applicant retained or improved the landscape buffer relied upon by the Inspector?
- Does the revised proposal continue to demonstrate that the development would not appear overbearing when viewed from surrounding properties?

- Whilst there is no right to a view, why has the applicant chosen not to provide a verified photomontage from Viewpoint 8 to demonstrate how the revised proposals would appear?
- Would a verified visualisation from Viewpoint 8 have assisted the LPA and local community in understanding whether the revised proposals genuinely reduce the visual effects?

Additional Research Questions

Landscape Buffer

- Has the landscape buffer been retained, widened or reduced?
- Does the revised Landscape Masterplan continue to provide the depth of planting relied upon by the Inspector?
- Has the engineering strategy affected the effectiveness of the proposed landscape buffer?

Residential Amenity

- Does the revised proposal continue to avoid an overbearing relationship with surrounding properties?
- Have the revised levels, retaining walls or dwelling positions altered this relationship?
- Is there evidence demonstrating that visual effects on neighbouring residents have been reduced?

Visual Evidence

- Has the applicant provided verified photomontages from the most sensitive residential viewpoints?
- Why has a verified photomontage not been prepared from Viewpoint 8 if this remains one of the principal visual receptors?
- Would such a visualisation materially assist the assessment of the revised proposals?
- Do the submitted visualisations fairly represent the most significant visual effects experienced by neighbouring residents?

Applicant's Response

- Do the revised Planning Statement and LVIA explain how the Inspector's findings in this paragraph have been addressed?
- Has the applicant demonstrated that the revised proposals materially reduce the visual effects identified by the Inspector?
- Are those conclusions supported by the revised drawings, viewpoints and visual evidence?

General Observation

Paragraph 42 demonstrates that the Inspector carefully distinguished between a significant change in outlook and unacceptable planning harm. Whilst acknowledging that surrounding residents would experience substantial changes to their existing views and recognising the strength of local objection, she concluded that these effects did not, in themselves, justify refusing the development. Instead, the Inspector relied upon the depth of the proposed landscape buffer, the stepped arrangement of the development and the absence of an overbearing relationship with neighbouring properties to conclude that the visual effects remained acceptable in planning terms.

Importantly, the Inspector did not conclude that the development would be visually insignificant. Rather, she accepted that surrounding residents would clearly appreciate the effects of the proposal but found that those effects were moderated by the retained landscape buffer and by the manner in which the development responded to the site's topography. She also recognised that changes in private views, whilst often strongly felt by local residents, do not in themselves constitute unacceptable planning harm.

The revised application should therefore be assessed to determine whether the landscape buffer relied upon by the Inspector has been retained or materially altered, whether revisions to the layout, engineering works or proposed levels affect the relationship between the development and surrounding residential properties, and whether the revised proposals continue to avoid an overbearing relationship. Particular consideration should also be given to whether the revised application provides sufficient visual evidence to demonstrate these conclusions, especially given the continued absence of a verified photomontage from Viewpoint 8, one of the principal residential viewpoints identified by the Inspector.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust visual evidence capable of demonstrating that the Inspector's conclusions regarding residential visual amenity, landscape buffering and the absence of overbearing effects no longer apply, or whether the revised proposals continue to rely upon substantially the same landscape framework, site layout and visual relationships considered at the appeal.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 42

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the revised assessment demonstrates that surrounding residential properties continue to benefit from sufficient landscape buffering and that the development would not appear overbearing when viewed from neighbouring dwellings.

Particular consideration has been given to the assessment of residential visual amenity, the predicted effectiveness of the landscape buffer and whether the submitted visual evidence supports the applicant's conclusions. It is also noted that whilst verified photomontages are provided for a number of viewpoints, no verified photomontage has been identified for Viewpoint 8, notwithstanding its importance as one of the principal residential viewpoints considered by the Inspector.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 42

The amended Landscape Masterplan has been reviewed to determine whether the depth and extent of the landscape buffer relied upon by the Inspector have been retained or materially altered, and whether the revised planting strategy continues to provide effective separation between the proposed development and surrounding residential properties.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 42

The amended Proposed Site Layout has been reviewed to assess whether revisions to the layout, dwelling positions and relationship with neighbouring properties materially alter the visual effects experienced by surrounding residents or affect the Inspector's conclusion that the development would not appear overbearing.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 42

The amended Proposed Site Sections have been reviewed to determine whether revisions to site levels, landform and engineering works materially alter the relationship between the proposed development and surrounding residential properties or affect the effectiveness of the landscape buffer.

Document 119 – Planning Statement

Relevant to Paragraph 42

The Planning Statement has been reviewed to determine whether the applicant specifically addresses the Inspector's findings regarding residential visual amenity, the landscape buffer and the absence of overbearing effects, and explains why the revised proposals should now be assessed differently.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 42

The amended Design and Access Statement has been reviewed to identify any design amendments intended to improve the relationship between the proposed development and surrounding residential properties, including revisions to layout, levels, landscape treatment and engineering works.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 42

The amended Retaining Wall Sections have been reviewed to assess whether revisions to retaining structures materially alter the visual relationship between the proposed development and neighbouring residential properties or affect the Inspector's conclusions regarding overbearing impact.

Documents 65/66 – Schematic Finished Levels

Relevant to Paragraph 42

The Schematic Finished Levels have been reviewed to determine whether revisions to finished levels materially influence the perceived scale or prominence of the development when viewed from surrounding residential properties.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 42

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers relevant to residential visual amenity and to determine whether any revisions are specifically intended to strengthen the landscape buffer or reduce the visual effects experienced by neighbouring residents.

Document 75 – Committee Report

Relevant to Paragraph 42

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the revised application continues to provide an effective landscape buffer, avoids an overbearing relationship with surrounding properties and materially addresses the Inspector's findings regarding residential visual amenity.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's conclusions regarding residential visual amenity, the effectiveness of the landscape buffer and the absence of overbearing effects remain valid.

Particular consideration has been given to whether the amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations, the revised Landscape Masterplan, amended layout, engineering proposals and supporting planning documents demonstrate material physical changes capable of maintaining or improving the landscape buffer relied upon by the Inspector. The review also considers whether the revised application provides objective evidence demonstrating that surrounding residential properties would continue to avoid an overbearing relationship with the proposed development despite the acknowledged changes in outlook, and whether sufficient visual evidence has been provided to substantiate that conclusion.

The assessment is evidence-led and considers the revised Landscape and Visual Impact Assessment, verified visualisations, landscape proposals, engineering drawings and supporting planning documents collectively to determine whether the revised application materially alters the relationship between the proposed development and surrounding residential properties, or whether it continues to rely upon substantially the same landscape buffer, site layout and visual relationships considered by the Inspector. Particular consideration has also been given to whether the continued absence of a verified photomontage for Viewpoint 8 limits independent assessment of one of the principal residential viewpoints identified within the appeal decision.

Documents Reviewed

Primary Documents

26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

24 – Amended Landscape Masterplan

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

61/62 – Amended Retaining Wall Sections

65/66 – Schematic Finished Levels

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Has the landscape buffer been retained, widened or reduced?	Comparison of the amended Landscape Masterplan, Proposed Site Layout and Proposed Site Sections demonstrates that the principal landscape buffers have been retained and refined. However, no objective evidence has been identified demonstrating that the depth of the landscape buffer relied upon by the Inspector has been materially increased.
Does the revised Landscape Masterplan continue to provide the depth of planting relied upon by the Inspector?	Yes. The amended Landscape Masterplan continues to provide structural planting and landscape buffers between the proposed development and surrounding residential properties. Whilst aspects of the planting strategy have been refined, no objective evidence has been identified demonstrating a material increase in the depth of landscape buffering.
Has the engineering strategy affected the effectiveness of the proposed landscape buffer?	The revised engineering proposals have been reviewed alongside the amended landscape strategy. No objective evidence has been identified demonstrating that the revised engineering strategy materially improves the effectiveness of the landscape buffer relied upon by the Inspector.
Does the revised proposal continue to avoid an overbearing relationship with surrounding properties?	Comparison of the amended layout, proposed sections, finished levels and landscape proposals has not identified objective evidence demonstrating that the relationship between the proposed development and surrounding residential properties has materially changed. The revised proposals continue to demonstrate broadly the same spatial relationship considered by the Inspector.
Have the revised levels, retaining walls or dwelling positions altered this relationship?	The revised application includes amendments to levels, retaining walls and dwelling positions. However, no objective evidence has been identified demonstrating that these revisions materially alter the relationship between the proposed development and neighbouring residential properties.
Is there evidence demonstrating that visual effects on neighbouring residents have been reduced?	The revised Landscape and Visual Impact Assessment and supporting visual evidence conclude that the amended proposals improve landscape integration. However, the comparative review has not identified objective evidence demonstrating that the visual effects experienced by neighbouring residents have been materially reduced when compared with the appeal proposal.

Research Question

Evidence-based Answer

Has the applicant provided verified photomontages from the most sensitive residential viewpoints?

Verified photomontages have been provided for a number of viewpoints within Appendix C/D. However, no verified photomontage has been identified for Viewpoint 8 despite it representing one of the principal residential viewpoints considered by the Inspector.

Why has a verified photomontage not been prepared from Viewpoint 8 if this remains one of the principal visual receptors?

The submitted application documents do not explain the omission. No objective evidence has been identified explaining why a verified photomontage has not been prepared for this viewpoint.

Would such a visualisation materially assist the assessment of the revised proposals?

Yes. Given the Inspector's reliance upon Viewpoint 8 in assessing residential visual amenity, a verified photomontage would materially assist the independent assessment of the revised proposals from one of the most sensitive residential viewpoints.

Do the submitted visualisations fairly represent the most significant visual effects experienced by neighbouring residents?

The revised application includes updated visual evidence from a range of viewpoints. However, in the absence of a verified photomontage for Viewpoint 8, no objective evidence has been identified demonstrating that the most significant residential viewpoint is illustrated to the same evidential standard as other assessed locations.

Do the revised Planning Statement and LVIA explain how the Inspector's findings in this paragraph have been addressed?

The revised Planning Statement and Landscape and Visual Impact Assessment explain the amendments made to the scheme and the proposed landscape strategy. However, no objective evidence has been identified demonstrating that these documents materially alter the Inspector's conclusions regarding the effectiveness of the landscape buffer or the relationship between the proposed development and neighbouring residential properties.

Has the applicant demonstrated that the revised proposals materially reduce the visual effects identified by the Inspector?

No. The comparative review has not identified objective evidence demonstrating that the revised proposals materially reduce the visual effects experienced by neighbouring residents or fundamentally alter the Inspector's planning judgement regarding residential visual amenity.

Are those conclusions supported by the revised drawings, viewpoints and visual evidence?

The revised drawings, viewpoints and supporting visual evidence are generally consistent with the applicant's assessment. However, no objective evidence has been identified demonstrating that they materially alter the Inspector's conclusions regarding the effectiveness of the landscape buffer, the absence of overbearing effects or the visual relationship with surrounding residential properties.

Principal Question

Has the applicant demonstrated that the revised proposal continues to provide an effective landscape buffer and avoids an overbearing relationship with surrounding properties, and has sufficient visual evidence been provided to substantiate that conclusion?

Evidence-based Answer

The revised application continues to address residential visual amenity through the amended Landscape and Visual Impact Assessment, Landscape Masterplan, revised site layout, engineering proposals and supporting planning documents. The applicant concludes that the retained landscape buffers, structural planting and stepped arrangement of the development continue to provide an appropriate transition between the proposed housing and the surrounding residential properties, thereby avoiding an overbearing relationship despite the acknowledged changes in outlook.

The amended Landscape Masterplan continues to retain substantial areas of structural planting, particularly along the northern part of the site, whilst the revised Proposed Site Layout, Site Sections and Finished Levels demonstrate refinements to the proposed development and engineering works. The revised Landscape and Visual Impact Assessment and Planning Statement continue to rely upon these measures to demonstrate that, although residents will experience changes to existing views, the development will remain visually acceptable in planning terms.

However, the Inspector's conclusion in this paragraph was not that surrounding residents would experience only limited visual effects. She expressly acknowledged that the proposal would significantly alter existing views and that these effects would be keenly appreciated by neighbouring residents. Her planning judgement was that the depth of the landscape buffer, the stepped arrangement of the development and the resulting relationship with surrounding properties meant that the development would not appear overbearing. Comparison of the amended Landscape Masterplan, Proposed Site Layout, Site Sections, Retaining Wall Sections and Finished Levels has not identified objective evidence demonstrating that these physical relationships have been materially altered. Whilst the revised application refines aspects of the landscape strategy and supporting evidence, no objective evidence has been identified demonstrating that the landscape buffer has been materially strengthened or that the relationship between the proposed development and neighbouring properties has fundamentally changed.

Furthermore, whilst the revised application provides updated visual evidence for a number of viewpoints, no verified photomontage has been identified for Viewpoint 8, notwithstanding its importance as one of the principal residential viewpoints relied upon by the Inspector when assessing the visual effects experienced by neighbouring residents.

The revised application therefore provides additional supporting evidence but does not demonstrate that the Inspector's conclusions regarding the effectiveness of the landscape buffer, the absence of overbearing effects or the planning balance between residential visual amenity and changes in outlook have been materially altered.

Evidence-based Conclusion

Paragraph 42 demonstrates that the Inspector carefully balanced the significant changes in outlook experienced by neighbouring residents against the wider planning judgement regarding residential visual amenity. She accepted that surrounding residents would experience substantial changes to their existing views but concluded that the retained landscape buffer, stepped arrangement of the development and separation distances ensured that the proposal would not appear overbearing in planning terms. She also recognised that, whilst changes in private views may be strongly felt by local residents, there is no planning right to retain an existing view.

The revised application seeks to respond through refinements to the landscape framework, engineering proposals, site layout and supporting visual evidence. These documents demonstrate that the applicant has maintained the landscape strategy relied upon by the Inspector and provided a more comprehensive evidential basis for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the physical relationship between the proposed development and surrounding residential properties has materially changed or that the effectiveness of the landscape buffer has been materially improved. Nor has evidence been identified demonstrating that the revised proposals materially alter the Inspector's planning judgement that the development would not appear overbearing despite the acknowledged changes in outlook. Whilst additional visual material has been submitted, no verified photomontage has been identified for Viewpoint 8 to assist the independent assessment of one of the principal residential viewpoints. Accordingly, the evidence does not demonstrate that the Inspector's conclusions in this paragraph no longer apply.

Outcome: ✗ Not Addressed

Reason: Whilst it is recognised that the revised application retains the landscape buffer, refines aspects of the landscape strategy and provides updated supporting documentation, no objective evidence has been identified demonstrating that the physical relationship between the proposed development and surrounding residential properties has been materially altered or that the landscape buffer relied upon by the Inspector has been materially strengthened.

The Inspector's conclusion in Paragraph 42 accepted that neighbouring residents would experience significant changes in outlook but found that the proposal would nevertheless remain acceptable in planning terms because it would not appear overbearing. The comparative review has not identified objective evidence demonstrating that the revised proposals materially alter that planning judgement. Furthermore, no verified photomontage has been identified for Viewpoint 8 to independently illustrate one of the principal residential viewpoints considered by the Inspector. Accordingly, this matter is considered not addressed.

Has the revised proposal materially altered the balance struck by the Inspector between significant changes in outlook and the conclusion that the development would not appear overbearing in planning terms?

Paragraph 43

Inspector's Point

44. With the exception of the western boundary to Plot 7 for reasons set out above, because of the proposed landscape buffer, the existing garages along Salesbury View and the depth of existing and proposed gardens the visual effect of the development from viewpoint 8 and surrounding dwellings would be diminished. In my view the proposed development could be successfully assimilated in proximity to neighbouring properties.

Summary

The Inspector concludes that, with the exception of Plot 7, the combination of the proposed landscape buffer, existing garages and separation distances would reduce the visual effects on Viewpoint 8 and neighbouring properties. She considers that the development could be successfully assimilated alongside the existing residential area.

Initial Thoughts

- The Inspector identifies Plot 7 as the remaining exception to an otherwise acceptable relationship with neighbouring properties.
- His conclusion relies upon the effectiveness of the proposed landscape buffer, existing built form and separation distances.
- Does the revised proposal retain the same level of separation and landscape buffering?
- Has Plot 7 been amended sufficiently to overcome the Inspector's earlier concerns?
- Has the applicant demonstrated, through robust visual evidence, that the revised proposal would still be successfully assimilated into its surroundings?
- Do the revised visualisations support the Inspector's conclusion regarding Viewpoint 8 and neighbouring residential properties?

Additional Research Questions

Plot 7

- Has Plot 7 been redesigned or repositioned?
- The Inspector reached a positive conclusion regarding the assimilation of the development expressly **excluding Plot 7**. Has the revised application materially altered Plot 7 such that this exception no longer applies?

- Have the retaining structures, levels or boundary treatments changed?
- Has the Inspector's concern regarding Plot 7 been fully addressed?

Viewpoint 8

- Does the revised LVIA continue to identify Viewpoint 8 as experiencing major adverse effects?
- Have the revised proposals reduced those effects?
- Do the submitted visualisations support that conclusion?

Landscape Buffer and Assimilation

- Has the landscape buffer been retained or strengthened?
- Does the revised Landscape Masterplan continue to provide the level of screening relied upon by the Inspector?
- Is there sufficient evidence that the revised proposal would assimilate successfully with the existing residential area?
- Has the revised application demonstrated that the Inspector's exception relating to Plot 7 no longer undermines the wider conclusion regarding assimilation?

Applicant's Response

- Do the revised Planning Statement and LVIA explain how the Inspector's findings in this paragraph have been addressed?
- Are those explanations supported by the revised layout, sections and visual evidence?

General Observation

Paragraph 43 represents one of the Inspector's more balanced conclusions regarding residential visual amenity. Whilst recognising the significant visual changes experienced from Viewpoint 8 and surrounding residential properties, the Inspector concluded that, with the exception of Plot 7, the combination of the proposed landscape buffer, existing garages along Salesbury View and the separation distances between existing and proposed dwellings would diminish the visual effects of the development. She therefore concluded that the proposed development could be successfully assimilated alongside the existing residential area.

Importantly, the Inspector's positive conclusion was expressly qualified by her earlier findings relating to Plot 7. Her assessment of successful assimilation was therefore dependent not only upon the effectiveness of the proposed landscape framework but also upon the relationship between the development and neighbouring properties, the retained built form and the adequacy of separation distances. The revised application should therefore be assessed to determine whether Plot 7 has been materially amended and whether the physical characteristics underpinning the Inspector's wider conclusion regarding assimilation remain unchanged.

Particular consideration should be given to whether the amended Landscape Masterplan, Proposed Site Layout, Site Sections and Retaining Wall Sections demonstrate that the landscape buffer, existing garages and separation distances continue to provide the level of mitigation relied upon by the Inspector. The assessment should also consider whether the revised application provides sufficient visual evidence to demonstrate that the development would continue to assimilate successfully within its surroundings and whether the Inspector's exception relating to Plot 7 has now been overcome.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust supporting evidence capable of demonstrating that the Inspector's conclusions regarding the successful assimilation of the development, including any revisions to Plot 7, no longer require qualification, or whether the revised proposals continue to rely upon substantially the same layout, landscape framework and spatial relationships considered at the appeal.

Review of Submitted Evidence

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 43

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the revised assessment demonstrates that the proposed development would continue to assimilate successfully with the existing residential area and whether the visual effects experienced from Viewpoint 8 and neighbouring properties have been materially reduced. Particular consideration has been given to the assessment of residential visual amenity, the effectiveness of the proposed landscape buffer and whether the submitted visual evidence supports the applicant's conclusions. It is also noted that whilst verified photomontages are provided for a number of viewpoints, no verified photomontage has been identified for Viewpoint 8 despite its continued importance within the Inspector's assessment.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 43

The amended Landscape Masterplan has been reviewed to determine whether the landscape buffer relied upon by the Inspector has been retained or materially strengthened and whether the revised planting strategy continues to provide effective screening and visual integration between the proposed development and neighbouring residential properties.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 43

The amended Proposed Site Layout has been reviewed to assess whether revisions to Plot 7, the wider site layout and the relationship between proposed and existing dwellings materially alter the Inspector's conclusions regarding successful assimilation and residential visual amenity.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 43

The amended Proposed Site Sections have been reviewed to determine whether revisions to site levels and the stepped arrangement of the development materially alter the relationship between the proposed development and neighbouring residential properties, particularly in the vicinity of Plot 7.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 43

The amended Retaining Wall Sections have been reviewed to assess whether revisions to retaining structures, boundary treatments and engineering works materially address the Inspector's earlier concerns regarding Plot 7 or otherwise affect the visual relationship with neighbouring properties.

Document 119 – Planning Statement

Relevant to Paragraph 43

The Planning Statement has been reviewed to determine whether the applicant specifically addresses the Inspector's findings regarding Plot 7, the successful assimilation of the development and the visual effects experienced from Viewpoint 8 and surrounding residential properties.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 43

The amended Design and Access Statement has been reviewed to identify any design amendments intended to improve the relationship between the proposed development and neighbouring residential properties, including revisions to Plot 7, site layout, landscape treatment and engineering works.

Documents 65/66 – Schematic Finished Levels

Relevant to Paragraph 43

The Schematic Finished Levels have been reviewed to determine whether revisions to proposed levels materially influence the relationship between Plot 7, surrounding residential properties and the wider landscape framework.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 43

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers relevant to Plot 7, residential visual amenity and the assimilation of the development into its surroundings.

Document 75 – Committee Report

Relevant to Paragraph 43

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the revised application materially addresses the Inspector's findings regarding Plot 7 and continues to demonstrate that the development would assimilate successfully within the existing residential area.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's conclusions regarding the successful assimilation of the proposed development into its surroundings, including the specific exception relating to Plot 7, remain valid.

Particular consideration has been given to whether the amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations, the revised Landscape Masterplan, amended layout, engineering proposals and supporting planning documents demonstrate material physical changes capable of improving the relationship between the proposed development and neighbouring residential properties. The review also considers whether the revised application provides objective evidence demonstrating that Plot 7 has been materially amended, that the landscape buffer and separation distances relied upon by the Inspector have been retained or improved, and that the development would continue to assimilate successfully within the existing residential area.

The assessment is evidence-led and considers the revised Landscape and Visual Impact Assessment, verified visualisations, landscape proposals, engineering drawings and supporting planning documents collectively to determine whether the revised application materially alters the relationship between the proposed development and neighbouring residential properties, or whether it continues to rely upon substantially the same landscape framework, site layout and spatial relationships considered by the Inspector. Particular consideration has also been given to whether revisions to Plot 7 overcome the Inspector's specific concerns whilst maintaining her wider conclusion that, with that exception, the development could be successfully assimilated into its surroundings.

Documents Reviewed

Primary Documents

26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

24 – Amended Landscape Masterplan

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

61/62 – Amended Retaining Wall Sections

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

65/66 – Schematic Finished Levels

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Evidence-based Answer

Has Plot 7 been redesigned or repositioned?

Comparison of the amended Proposed Site Layout, Proposed Site Sections and supporting drawings demonstrates revisions to the proposed scheme. However, no objective evidence has been identified demonstrating that Plot 7 has been materially redesigned or repositioned in a manner that fundamentally alters the Inspector's earlier assessment.

Research Question	Evidence-based Answer
Have the retaining structures, levels or boundary treatments changed?	The revised application includes amendments to retaining structures, finished levels and boundary treatments. However, the comparative review has not identified objective evidence demonstrating that these revisions materially alter the relationship between Plot 7 and neighbouring properties or overcome the Inspector's earlier concerns.
Has the Inspector's concern regarding Plot 7 been fully addressed?	No objective evidence has been identified demonstrating that the physical circumstances underpinning the Inspector's concerns regarding Plot 7 have been materially altered.
Does the revised LVIA continue to identify Viewpoint 8 as experiencing major adverse effects?	The revised Landscape and Visual Impact Assessment has been reviewed alongside the appeal material. No objective evidence has been identified demonstrating that the Inspector's findings regarding the significance of visual effects experienced from Viewpoint 8 have been materially displaced.
Have the revised proposals reduced those effects?	The revised application includes refinements to the layout, landscape strategy and supporting visual evidence. However, the comparative review has not identified objective evidence demonstrating that the visual effects experienced from Viewpoint 8 have been materially reduced when compared with the appeal proposal.
Do the submitted visualisations support that conclusion?	The revised visualisations are consistent with the applicant's assessment of the amended scheme. However, no verified photomontage has been identified for Viewpoint 8, limiting independent assessment of one of the principal residential viewpoints relied upon by the Inspector.
Has the landscape buffer been retained or strengthened?	The amended Landscape Masterplan demonstrates that the principal landscape buffer has been retained and refined. However, no objective evidence has been identified demonstrating that it has been materially strengthened beyond that relied upon by the Inspector.
Does the revised Landscape Masterplan continue to provide the level of screening relied upon by the Inspector?	Yes. The revised Landscape Masterplan continues to rely upon structural planting and landscape buffering to moderate the visual relationship between the proposed development and neighbouring residential properties.

Research Question

Is there sufficient evidence that the revised proposal would assimilate successfully with the existing residential area?

Has the revised application demonstrated that the Inspector's exception relating to Plot 7 no longer undermines the wider conclusion regarding assimilation?

Do the revised Planning Statement and LVIA explain how the Inspector's findings in this paragraph have been addressed?

Are those explanations supported by the revised layout, sections and visual evidence?

Evidence-based Answer

The applicant relies upon the revised Landscape Masterplan, Landscape and Visual Impact Assessment, updated layout and supporting visual evidence to demonstrate successful assimilation. However, no objective evidence has been identified demonstrating that the revised proposals materially alter the Inspector's conclusions regarding assimilation into the existing residential area.

No objective evidence has been identified demonstrating that the Inspector's specific concerns regarding Plot 7 have been materially overcome. The revised proposals therefore do not demonstrate that this qualification to the Inspector's conclusion no longer applies.

The revised Planning Statement and Landscape and Visual Impact Assessment explain the amendments made to the proposal and the continued reliance upon landscape buffering, separation distances and the stepped form of development. However, no objective evidence has been identified demonstrating that these explanations materially alter the Inspector's conclusions.

The revised layout, sections and supporting visual evidence are generally consistent with the applicant's assessment. However, the comparative review has not identified objective evidence demonstrating that they materially alter the Inspector's conclusions regarding Plot 7, the effectiveness of the landscape buffer or the successful assimilation of the development.

Principal Question

Has the applicant demonstrated that the revised proposal, including any amendments to Plot 7, would be successfully assimilated into its surroundings and that the visual effects on Viewpoint 8 and neighbouring properties have been materially reduced?

Evidence-based Answer

The revised application continues to address the relationship between the proposed development and neighbouring residential properties through the amended Landscape and Visual Impact Assessment, Landscape Masterplan, revised site layout, engineering proposals and supporting planning documents.

The applicant concludes that the retained landscape buffer, existing built form, separation distances and stepped arrangement of the development continue to provide an appropriate transition between the proposed housing and the existing residential area, allowing the development to assimilate successfully within its surroundings.

The amended Landscape Masterplan continues to retain the principal structural landscape buffers relied upon by the Inspector, whilst the revised Proposed Site Layout, Site Sections and Finished Levels demonstrate refinements to the proposed development and engineering works. The revised Landscape and Visual Impact Assessment and Planning Statement similarly continue to rely upon these measures to demonstrate that the visual effects experienced from Viewpoint 8 and neighbouring residential properties remain acceptable in planning terms.

However, the Inspector's conclusion in this paragraph was expressly qualified by her earlier findings regarding Plot 7. Whilst she accepted that the development could be successfully assimilated into the surrounding residential area, this conclusion relied upon the effectiveness of the landscape buffer, existing garages along Salesbury View, separation distances and the stepped arrangement of the development, together with the specific exclusion of Plot 7. Comparison of the amended Landscape Masterplan, Proposed Site Layout, Site Sections, Retaining Wall Sections and Finished Levels has not identified objective evidence demonstrating that these physical relationships have been materially altered. Nor has evidence been identified demonstrating that Plot 7 has been materially redesigned in a manner that overcomes the Inspector's earlier concerns.

Furthermore, whilst the revised application provides additional visual evidence for a number of viewpoints, no verified photomontage has been identified for Viewpoint 8, notwithstanding its continued importance in assessing the visual relationship between the proposed development and neighbouring residential properties. The revised application therefore provides additional supporting evidence but does not demonstrate that the Inspector's conclusions regarding the successful assimilation of the development, or her specific qualification relating to Plot 7, have been materially altered.

Evidence-based Conclusion

Paragraph 43 represents the Inspector's overall conclusion on the relationship between the proposed development and the surrounding residential area. She accepted that, with the exception of Plot 7, the combination of the landscape buffer, existing built form, separation distances and stepped form of development would sufficiently diminish the visual effects experienced from Viewpoint 8 and neighbouring properties, allowing the development to be successfully assimilated into its surroundings.

The revised application seeks to respond through refinements to the landscape framework, engineering proposals, site layout and supporting visual evidence. These documents demonstrate that the applicant has maintained the principal design approach relied upon by the Inspector and provided a more comprehensive evidential basis for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the physical relationships underpinning the Inspector's conclusions have materially changed. The revised application continues to rely upon substantially the same landscape buffer, separation distances and spatial relationships previously accepted by the Inspector, whilst no objective evidence has been identified demonstrating that the specific concerns relating to Plot 7 have been materially overcome. Although additional visual material has been submitted, no verified photomontage has been identified for Viewpoint 8 despite its continuing importance within the assessment of residential visual amenity. Accordingly, the evidence does not demonstrate that the Inspector's conclusions in this paragraph, including the qualification relating to Plot 7, no longer apply.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application retains the principal landscape buffer, refines aspects of the landscape strategy and provides updated supporting documentation, no objective evidence has been identified demonstrating that the physical relationship between the proposed development and neighbouring residential properties has been materially altered or that Plot 7 has been redesigned in a manner that overcomes the Inspector's earlier concerns.

The Inspector's conclusion in Paragraph 43 accepted that, with the exception of Plot 7, the development could be successfully assimilated into the existing residential area. The comparative review has not identified objective evidence demonstrating that the revised proposals materially alter that planning judgement or remove the qualification expressly attached to it. Furthermore, no verified photomontage has been identified for Viewpoint 8 to independently illustrate one of the principal residential viewpoints relied upon by the Inspector. Accordingly, this matter is considered not addressed.

Paragraph 45

Inspector's Point

45. Notwithstanding, it has not been demonstrated that the buffer along the central-eastern boundary and PRoW 25 would be effective in mitigating the landscape and visual impact of the development in the long term. The LS seeks that the character of ridge settlements is conserved through the softening of abrupt urban edges. The proximity of the proposed dwellings within this part of the site to open countryside and PRoW 25 would not be perceptibly softened but would result in a highly conspicuous urban edge, the immediate visual effect of which would be harmful. Whilst the land would be used efficiently, it would compromise the quality of the environment in this regard.

Summary

The Inspector concludes that the appellant failed to demonstrate that the proposed landscape buffer along the central-eastern boundary and PRow 25 would provide effective long-term mitigation. She finds that the development would create a conspicuous and harmful urban edge that would fail to conserve the character of the ridge settlement, despite making efficient use of the allocated site.

Initial Thoughts

- This is one of the Inspector's key conclusions regarding landscape and visual effects.
- The Inspector expressly concludes that the effectiveness of the proposed landscape buffer has not been demonstrated.
- She identifies the creation of a conspicuous urban edge as a principal source of harm.
- The Inspector links this harm directly to the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges. Has the revised proposal materially changed this policy assessment?
- Has the applicant now demonstrated, with robust evidence, that the revised landscape buffer would provide effective long-term mitigation?
- Has the revised proposal materially softened the relationship between the development, PRow 25 and the open countryside?
- Does the revised proposal continue to create a conspicuous urban edge?
- Has the applicant provided sufficient evidence to demonstrate that the Inspector's conclusions no longer apply?

Additional Research Questions

Landscape Buffer

- Has the landscape buffer along the central-eastern boundary been widened or strengthened?
- Is there now sufficient space for meaningful long-term planting?
- Does the revised Landscape Masterplan demonstrate a materially different approach?
- Has the applicant demonstrated that the proposed planting can realistically achieve the intended level of screening?

Urban Edge

- Does the revised proposal soften the settlement edge more successfully than the appeal scheme?
- Does the development continue to present an abrupt urban edge when viewed from PRoW 25 and the surrounding countryside?
- Have the revised engineering works altered the visual relationship with the countryside?

Applicant's Evidence

- What evidence has the applicant provided to demonstrate that the Inspector's concerns have been overcome?
- Does the revised LVIA support those conclusions?
- Do the revised viewpoints, photomontages and visual evidence substantiate the claimed improvements?
- Are the applicant's conclusions supported consistently across the submitted reports and drawings?

Policy and Landscape Strategy

- Does the revised proposal better satisfy the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges?
- Has the applicant explained how the revised proposals respond to this specific policy objective?
- Has the revised proposal altered the physical relationship between the development and the open countryside sufficiently to avoid the conspicuous urban edge identified by the Inspector?

General Observation

Paragraph 45 represents the Inspector's overall conclusion on the landscape and visual consequences of the central-eastern boundary of the site and Public Right of Way 25. Drawing together the earlier findings relating to landscape mitigation, visual effects and the relationship between the proposed development and the surrounding countryside, the Inspector concludes that the appellant had failed to demonstrate that the proposed landscape buffer would provide effective long-term mitigation. As a consequence, she found that the development would create a conspicuous and harmful urban edge that failed to conserve the character of the ridge settlement, notwithstanding the efficient use of the allocated site.

Importantly, the Inspector's conclusion was not based solely upon the presence of built development adjacent to open countryside. Rather, she concluded that the limited opportunity for meaningful landscape mitigation along the central-eastern boundary meant that the proposed development would not be perceptibly softened when viewed from Public Right of Way 25 or the surrounding countryside. The resulting urban edge therefore conflicted with the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges.

The revised application should therefore be assessed to determine whether the landscape buffer along the central-eastern boundary has been materially strengthened, whether the relationship between the proposed development, Public Right of Way 25 and the adjoining countryside has been materially altered, and whether the revised proposals now provide sufficient evidence to demonstrate that the Inspector's concerns regarding the harmful urban edge have been overcome. Particular consideration should also be given to whether the revised Landscape and Visual Impact Assessment, Landscape Masterplan and supporting visual evidence substantiate the applicant's conclusions regarding long-term landscape integration.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust supporting evidence capable of demonstrating that the Inspector's findings regarding the effectiveness of the landscape buffer, the conspicuous urban edge and the resulting landscape and visual harm no longer apply, or whether the revised proposals continue to rely upon substantially the same landscape strategy, settlement edge and long-term mitigation assumptions considered at the appeal.

Review of Submitted Evidence

Documents 24 – Amended Landscape Masterplan

Relevant to Paragraph 45

The amended Landscape Masterplan has been reviewed to determine whether the landscape buffer along the central-eastern boundary has been materially widened or strengthened and whether the revised planting strategy provides a more effective long-term transition between the proposed development, Public Right of Way 25 and the surrounding countryside. Particular consideration has been given to whether the revised landscape proposals overcome the Inspector's concerns regarding the creation of a conspicuous urban edge.

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 45

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the revised assessment demonstrates that the proposed landscape buffer would provide effective long-term mitigation and whether the revised proposals materially reduce the landscape and visual effects experienced along the central-eastern boundary and Public Right of Way 25. Particular consideration has been given to the assessment of long-term visual effects, the effectiveness of proposed planting and whether the submitted visual evidence supports the applicant's conclusions.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 45

The amended Proposed Site Layout has been reviewed to assess whether revisions to the layout, disposition of development and settlement edge materially alter the relationship between the proposed housing, Public Right of Way 25 and the adjoining countryside, thereby reducing the conspicuous urban edge identified by the Inspector.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 45

The amended Proposed Site Sections have been reviewed to determine whether revisions to site levels, landform and engineering works materially reduce the visual prominence of the development or improve opportunities for meaningful long-term landscape mitigation along the central-eastern boundary.

Document 119 – Planning Statement

Relevant to Paragraph 45

The Planning Statement has been reviewed to determine whether the applicant specifically addresses the Inspector's findings regarding the effectiveness of the landscape buffer, the conspicuous urban edge and compliance with the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 45

The amended Design and Access Statement has been reviewed to identify any design amendments intended to improve the settlement edge, strengthen the landscape framework and reduce the landscape and visual effects identified by the Inspector.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 45

The amended Retaining Wall Sections have been reviewed to assess whether revisions to retaining structures and engineering works materially alter the relationship between the proposed development, the landscape buffer and the surrounding countryside.

Documents 65/66 – Schematic Finished Levels

Relevant to Paragraph 45

The Schematic Finished Levels have been reviewed to determine whether revisions to proposed levels materially influence the prominence of the development or the effectiveness of the landscape transition along the central-eastern boundary.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 45

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers relevant to the landscape buffer, settlement edge and long-term landscape integration, and to determine whether any revisions are specifically intended to address the Inspector's findings in this paragraph.

Document 75 – Committee Report

Relevant to Paragraph 45

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the revised application materially addresses the Inspector's findings regarding the effectiveness of the landscape buffer, the conspicuous urban edge and the resulting landscape and visual effects.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's conclusions regarding the effectiveness of the landscape buffer, the formation of a conspicuous urban edge and the resulting landscape and visual harm no longer apply.

Particular consideration has been given to whether the amended Landscape Masterplan, Landscape and Visual Impact Assessment (including the verified photomontages and visualisations), revised layout, engineering proposals and supporting planning documents demonstrate material physical changes capable of strengthening the landscape buffer along the central-eastern boundary and improving the relationship between the proposed development, Public Right of Way 25 and the adjoining countryside. The review also considers whether the revised application provides objective evidence demonstrating that the settlement edge has been materially softened and that the revised proposals now better satisfy the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges.

The assessment is evidence-led and considers the revised Landscape Masterplan, Landscape and Visual Impact Assessment, verified visualisations, engineering drawings and supporting planning documents collectively to determine whether the revised application materially alters the physical relationship between the proposed development, Public Right of Way 25 and the surrounding countryside, or whether it continues to rely upon substantially the same landscape strategy, settlement edge and long-term mitigation assumptions considered by the Inspector. Particular consideration has also been given to whether the revised proposals demonstrate that the harmful urban edge identified within the appeal decision has been materially softened or whether that fundamental planning judgement remains unchanged.

Documents Reviewed

Primary Documents

24 – Amended Landscape Masterplan

26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

50/55 – Amended Proposed Site Layout

56–58 – Amended Proposed Site Sections

119 – Planning Statement

Secondary Documents

13/14 – Amended Design and Access Statement

61/62 – Amended Retaining Wall Sections

65/66 – Schematic Finished Levels

87 – Explanation of Key Changes

75 – Committee Report

Comparative Appeal Documents

199–201 – Appeal Landscape and Visual Impact Assessment

230 – Appeal Landscape Masterplan

241/242 – Appeal Proposed Site Layout

246 – Appeal Decision

250 – Appeal Statement of Case – Design

251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Has the landscape buffer along the central-eastern boundary been widened or strengthened?

Evidence-based Answer

Comparison of the amended Landscape Masterplan, Proposed Site Layout and Proposed Site Sections demonstrates refinements to the structural landscape proposals. However, no objective evidence has been identified demonstrating that the landscape buffer along the central-eastern boundary has been materially widened or strengthened beyond that considered by the Inspector.

Research Question

Is there now sufficient space for meaningful long-term planting?

Does the revised Landscape Masterplan demonstrate a materially different approach?

Has the applicant demonstrated that the proposed planting can realistically achieve the intended level of screening?

Does the revised proposal soften the settlement edge more successfully than the appeal scheme?

Does the development continue to present an abrupt urban edge when viewed from PRow 25 and the surrounding countryside?

Have the revised engineering works altered the visual relationship with the countryside?

Evidence-based Answer

The revised application continues to provide structural planting adjacent to the central-eastern boundary and Public Right of Way 25. However, no objective evidence has been identified demonstrating that the physical space available for meaningful long-term planting has been materially increased when compared with the appeal proposal.

The amended Landscape Masterplan refines the proposed landscape framework and structural planting. However, comparison with the appeal Landscape Masterplan has not identified objective evidence demonstrating a materially different landscape strategy capable of fundamentally altering the Inspector's conclusions regarding the effectiveness of the landscape buffer.

The revised Landscape and Visual Impact Assessment continues to rely upon the establishment and long-term maturation of structural planting to provide screening and soften the settlement edge. However, no objective evidence has been identified demonstrating that the proposed planting would achieve a materially greater level of screening than that considered by the Inspector.

The revised application includes refinements to the landscape framework and settlement edge. However, the comparative review has not identified objective evidence demonstrating that the revised proposals materially soften the settlement edge beyond that previously considered by the Inspector.

Comparison of the amended layout, site sections, landscape proposals and supporting visual evidence has not identified objective evidence demonstrating that the visual relationship between the proposed development, Public Right of Way 25 and the surrounding countryside has been materially altered.

The revised engineering proposals have been reviewed alongside the amended landscape strategy. However, no objective evidence has been identified demonstrating that the revised engineering works materially alter the visual relationship between the proposed development and the adjoining countryside.

Research Question

What evidence has the applicant provided to demonstrate that the Inspector's concerns have been overcome?

Does the revised LVIA support those conclusions?

Do the revised viewpoints, photomontages and visual evidence substantiate the claimed improvements?

Are the applicant's conclusions supported consistently across the submitted reports and drawings?

Does the revised proposal better satisfy the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges?

Has the applicant explained how the revised proposals respond to this specific policy objective?

Evidence-based Answer

The applicant relies upon the amended Landscape Masterplan, revised Landscape and Visual Impact Assessment, updated visual evidence, revised layout, engineering proposals and supporting planning documents. However, the comparative review has not identified objective evidence demonstrating that these amendments materially overcome the Inspector's findings regarding the effectiveness of the landscape buffer or the resulting urban edge.

The revised Landscape and Visual Impact Assessment concludes that the amended landscape strategy will improve long-term landscape integration. However, no objective evidence has been identified demonstrating that its conclusions materially alter the Inspector's assessment of the long-term landscape and visual effects.

The revised application provides updated viewpoints and verified photomontages for a number of locations. However, the comparative review has not identified objective evidence demonstrating that the submitted visual evidence substantiates a materially different assessment of the landscape and visual effects identified by the Inspector.

The revised reports, drawings and supporting documents are generally consistent in presenting the applicant's landscape case. However, no objective evidence has been identified demonstrating that they materially alter the Inspector's conclusions regarding the effectiveness of the landscape buffer, the settlement edge or the resulting landscape harm.

The revised application continues to rely upon structural planting and landscape mitigation to soften the settlement edge. However, no objective evidence has been identified demonstrating that the revised proposals materially alter the Inspector's conclusion that the central-eastern boundary would continue to form a conspicuous urban edge.

The Planning Statement and supporting landscape documents explain how the revised proposals are intended to strengthen landscape integration. However, no objective evidence has been identified demonstrating that the revised application materially overcomes the Inspector's policy concerns regarding the conservation of the ridge settlement character.

Research Question

Evidence-based Answer

Has the revised proposal altered the physical relationship between the development and the open countryside sufficiently to avoid the conspicuous urban edge identified by the Inspector?

No. The comparative review has not identified objective evidence demonstrating that the revised proposals materially alter the physical relationship between the proposed development and the adjoining countryside or remove the conspicuous urban edge identified within the appeal decision.

Principal Question

Has the applicant demonstrated, through substantive design changes and robust supporting evidence, that the revised proposal provides an effective long-term landscape buffer, softens the urban edge and overcomes the Inspector's findings of harmful landscape and visual effects along the central-eastern boundary and PRow 25?

Evidence-based Answer

The revised application continues to address the relationship between the proposed development, Public Right of Way 25 and the surrounding countryside through the amended Landscape Masterplan, Landscape and Visual Impact Assessment, revised site layout, engineering proposals and supporting planning documents. The applicant concludes that revisions to the landscape framework, structural planting and settlement edge improve the long-term integration of the development and reduce the landscape and visual effects previously identified.

The amended Landscape Masterplan continues to retain structural planting along the central-eastern boundary, whilst the revised Landscape and Visual Impact Assessment and Planning Statement explain how the amended proposals are intended to soften the settlement edge and improve the transition between the proposed development and the surrounding countryside. The revised layout, site sections and engineering proposals similarly demonstrate refinements intended to support the long-term establishment of the landscape framework and reduce the prominence of the development.

However, the Inspector's conclusion in this paragraph was not simply that additional planting was required. Rather, she concluded that the appellant had failed to demonstrate that the landscape buffer along the central-eastern boundary and Public Right of Way 25 would provide effective long-term mitigation because the available space for meaningful planting was insufficient to perceptibly soften the urban edge. She therefore found that the development would create a conspicuous and harmful urban edge that conflicted with the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges.

Comparison of the amended Landscape Masterplan, Proposed Site Layout, Site Sections, Retaining Wall Sections and supporting visual evidence has not identified objective evidence demonstrating that these underlying physical constraints have been materially altered. Whilst the revised application refines aspects of the landscape strategy and supporting evidence, it continues to rely upon substantially the same long-term landscape mitigation and settlement edge strategy considered at the appeal.

The revised application therefore provides additional supporting evidence but does not demonstrate that the Inspector's findings regarding the effectiveness of the landscape buffer, the conspicuous urban edge or the resulting landscape and visual harm have been materially overcome.

Evidence-based Conclusion

Paragraph 45 represents the Inspector's overall planning conclusion regarding the landscape strategy for the central-eastern boundary of the site. Drawing together her earlier findings on Public Right of Way 25, the landscape buffer and the settlement edge, she concluded that the appellant had failed to demonstrate that the proposed landscape mitigation would provide effective long-term screening. As a consequence, she found that the development would create a conspicuous and harmful urban edge that failed to conserve the character of the ridge settlement, notwithstanding the efficient use of the allocated site.

The revised application seeks to respond through refinements to the landscape framework, engineering proposals, site layout and supporting visual evidence. These documents demonstrate that the applicant has maintained the principal landscape strategy and provided a more comprehensive evidential basis for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the physical relationship between the proposed development, Public Right of Way 25 and the surrounding countryside has been materially altered. Nor has evidence been identified demonstrating that the landscape buffer has been materially strengthened or that the revised proposals overcome the Inspector's conclusion that the settlement edge would remain conspicuous and harmful. Accordingly, the evidence does not demonstrate that the Inspector's findings regarding the effectiveness of the landscape buffer, the resulting urban edge and the associated landscape and visual effects no longer apply.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application refines the landscape framework, retains structural planting and provides updated supporting documentation, no objective evidence has been identified demonstrating that the landscape buffer along the central-eastern boundary has been materially strengthened or that the physical relationship between the proposed development, Public Right of Way 25 and the surrounding countryside has been fundamentally altered.

The Inspector's conclusion in Paragraph 45 was founded upon the failure of the appellant to demonstrate that the proposed landscape buffer would provide effective long-term mitigation, resulting in a conspicuous and harmful urban edge that conflicted with the Landscape Strategy objective of conserving ridge settlements through the softening of abrupt urban edges. The comparative review has not identified objective evidence demonstrating that the revised proposals materially alter that planning judgement or overcome the physical limitations identified by the Inspector. Accordingly, this matter is considered not addressed.

Paragraph 57

Inspector's Point

58. Given the above, I find the overall density and scale of proposed development would be acceptable. I also find the identified moderate adverse landscape harm would be localised only and not therefore cause a significant adverse effect on the wider landscape character of the area. However, although I find these aspects of the development would be acceptable in terms of the impact on the character and appearance of the area, as set out above, I find the layout and resultant visual effects on the landscape would not be acceptable. The proposal would fail to deliver a high-quality, visually attractive development.

Summary

The Inspector concludes that the proposed density, scale and wider landscape effects would be acceptable. However, she finds that the layout and resulting visual effects remain unacceptable and concludes that the proposal would fail to deliver a high-quality, visually attractive development.

Initial Thoughts

- This is the Inspector's overall conclusion on character and appearance.
- The Inspector accepts the principles of density, scale and the wider landscape effects.
- The decisive issues are the layout and the resulting visual effects.
- The Inspector expressly distinguishes between those aspects of the proposal she found acceptable (density, scale and wider landscape effects) and those she found unacceptable (layout and resulting visual effects). Has the revised application materially altered that overall planning balance?
- Has the applicant made sufficient changes to the layout to overcome the Inspector's conclusions?

- Have the visual effects identified throughout the decision been materially reduced?
- Does the revised proposal now deliver the high-quality, visually attractive development that the Inspector found lacking?
- Do the cumulative amendments to the layout, landscape strategy, engineering works and settlement edge materially alter the Inspector's overall conclusion on design quality?
- Do the revised drawings and supporting evidence demonstrate that the Inspector's principal reasons for refusal have been addressed?

Additional Research Questions

Layout

- Has the layout been materially revised?
- Have the changes specifically addressed the Inspector's concerns regarding the northern and eastern parts of the site?
- Have the revised engineering works reduced the visual impact of the development?

Visual Effects

- Have the visual effects on PRoW 25 and the surrounding viewpoints been materially reduced?
- Has the landscape mitigation strategy been strengthened?
- Has the applicant demonstrated that the revised proposal overcomes the Inspector's conclusions regarding visual harm?

Design Quality

- Does the revised proposal now deliver a high-quality, visually attractive development?
- Have the cumulative changes to the layout, landscape strategy and engineering improved the overall design quality?
- Are those improvements supported by robust evidence?

Overall Assessment

- Which of the Inspector's findings remain applicable?
- Which findings have genuinely been overcome?
- Does the revised application demonstrate that the balance of the Inspector's conclusions should now be different?
- Has the applicant demonstrated that the cumulative amendments are sufficient to displace the Inspector's overall conclusion that the proposal would fail to deliver a high-quality, visually attractive development?

General Observation

Paragraph 57 represents the Inspector's overall conclusion on the character and appearance of the proposed development. Drawing together the preceding landscape and visual assessment, the Inspector distinguishes between those aspects of the proposal she considered acceptable and those she found unacceptable. She accepted that the proposed density, scale and wider landscape effects were appropriate and that the identified landscape harm would remain relatively localised. However, she concluded that the layout and resulting visual effects were unacceptable and that, taken together, these deficiencies meant the proposal would fail to deliver a high-quality, visually attractive development.

Importantly, the Inspector's conclusion was cumulative. It was not founded upon a single element of the proposal but upon the combined effect of the layout, the relationship between the development and the landscape, the treatment of the settlement edge, the visual effects experienced from Public Right of Way 25 and the surrounding residential receptors, and the effectiveness of the proposed landscape mitigation.

The revised application should therefore be assessed to determine whether the cumulative amendments to the layout, landscape strategy, engineering proposals and supporting evidence materially alter that overall planning judgement.

Particular consideration should be given to whether the revised Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, engineering proposals and supporting planning documents collectively demonstrate that the Inspector's principal concerns regarding layout and visual effects have been overcome. The assessment should also consider whether the cumulative amendments materially improve the overall design quality of the proposal or whether they principally provide additional justification for substantially the same development.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust supporting evidence capable of demonstrating that the Inspector's overall conclusion regarding character, appearance, layout and visual quality no longer applies, or whether the revised proposals continue to rely upon substantially the same design approach, landscape strategy and spatial relationships previously considered at the appeal.

Review of Submitted Evidence

Document 119 – Planning Statement

Relevant to Paragraph 57

The Planning Statement has been reviewed to determine whether the applicant demonstrates that the cumulative amendments to the proposal materially overcome the Inspector's principal concerns regarding layout, visual effects and overall design quality, and whether the revised scheme should now be regarded as delivering a high-quality, visually attractive development.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 57

The amended Proposed Site Layout has been reviewed to assess whether revisions to the layout materially address the Inspector's concerns regarding the northern and eastern parts of the site and whether the cumulative changes improve the overall relationship between the proposed development, the surrounding landscape and neighbouring properties.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 57

The amended Landscape Masterplan has been reviewed to determine whether the revised landscape framework, structural planting and settlement edge materially improve the visual quality of the development and overcome the Inspector's conclusions regarding landscape integration and the resulting urban edge.

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 57

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the cumulative amendments materially reduce the landscape and visual effects previously identified by the Inspector and whether the submitted evidence demonstrates that the revised proposal now delivers a high-quality, visually attractive development. Particular consideration has been given to whether the revised visual evidence substantiates the applicant's conclusions regarding the overall quality of the revised scheme.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 57

The amended Design and Access Statement has been reviewed to identify how the applicant considers the cumulative design amendments improve the overall quality of the proposal, including revisions to the layout, landscape strategy, engineering works and settlement edge.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 57

The amended Proposed Site Sections have been reviewed to determine whether revisions to levels, landform and the stepped arrangement of development materially improve the overall design quality and visual relationship between the proposal, the surrounding landscape and neighbouring properties.

Documents 61/62 – Amended Retaining Wall Sections

Relevant to Paragraph 57

The amended Retaining Wall Sections have been reviewed to assess whether revisions to retaining structures materially reduce the visual effects previously identified by the Inspector or contribute to a higher-quality overall design solution.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 57

The Explanation of Key Changes has been reviewed to identify those cumulative amendments the applicant considers relevant to layout, landscape integration, design quality and visual effects, and to determine whether those revisions are capable of altering the Inspector's overall conclusions.

Document 75 – Committee Report

Relevant to Paragraph 57

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the cumulative amendments to the revised proposal materially overcome the Inspector's principal concerns regarding layout, visual effects and overall design quality, and whether the proposal should now be regarded as delivering a high-quality, visually attractive development.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's overall conclusions regarding character, appearance, layout and visual quality no longer apply.

Particular consideration has been given to whether the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment (including the verified photomontages and visualisations), engineering proposals and supporting planning documents demonstrate that the cumulative amendments materially improve the overall quality of the development. The review also considers whether the revised application provides objective evidence demonstrating that the layout, landscape strategy, settlement edge, engineering works and visual relationships have been materially improved such that the proposal now delivers the high-quality, visually attractive development that the Inspector previously found lacking.

The assessment is evidence-led and considers the revised layout, landscape proposals, engineering drawings, visual evidence and supporting planning documents collectively to determine whether the cumulative amendments materially alter the Inspector's overall planning judgement regarding character and appearance, or whether the revised application continues to rely upon substantially the same design approach, landscape strategy and spatial relationships considered at the appeal. Particular consideration has been given to whether the combined effect of the revisions is sufficient to displace the Inspector's conclusion that, notwithstanding acceptable density, scale and wider landscape effects, the layout and resulting visual effects remained unacceptable.

Documents Reviewed

Primary Documents

- 119 – Planning Statement
- 50/55 – Amended Proposed Site Layout
- 24 – Amended Landscape Masterplan

- 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)
- 13/14 – Amended Design and Access Statement

Secondary Documents

- 56–58 – Amended Proposed Site Sections
- 61/62 – Amended Retaining Wall Sections
- 87 – Explanation of Key Changes
- 75 – Committee Report

Comparative Appeal Documents

- 199–201 – Appeal Landscape and Visual Impact Assessment
- 230 – Appeal Landscape Masterplan
- 241/242 – Appeal Proposed Site Layout
- 246 – Appeal Decision
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Has the layout been materially revised?

Evidence-based Answer

Comparison of the amended Proposed Site Layout with the appeal scheme demonstrates a number of revisions to the layout and supporting landscape framework. However, no objective evidence has been identified demonstrating that these amendments materially alter the overall layout strategy or overcome the Inspector's principal concerns regarding character and appearance.

Research Question

Have the changes specifically addressed the Inspector's concerns regarding the northern and eastern parts of the site?

Have the revised engineering works reduced the visual impact of the development?

Have the visual effects on PRow 25 and the surrounding viewpoints been materially reduced?

Has the landscape mitigation strategy been strengthened?

Has the applicant demonstrated that the revised proposal overcomes the Inspector's conclusions regarding visual harm?

Does the revised proposal now deliver a high-quality, visually attractive development?

Evidence-based Answer

The revised application includes amendments affecting the northern and eastern parts of the site, together with refinements to the landscape strategy and engineering proposals. However, the comparative review has not identified objective evidence demonstrating that these revisions materially overcome the Inspector's concerns regarding the landscape buffer, settlement edge or visual effects in these areas.

The revised engineering proposals have been reviewed alongside the amended layout and landscape strategy. However, no objective evidence has been identified demonstrating that the revised engineering works materially reduce the visual impact of the development when compared with the appeal proposal.

The revised Landscape and Visual Impact Assessment and supporting visual evidence demonstrate refinements to the assessment of visual effects. However, no objective evidence has been identified demonstrating that the visual effects experienced from Public Right of Way 25 or the principal viewpoints have been materially reduced.

The amended Landscape Masterplan demonstrates refinements to the proposed structural planting and landscape framework. However, no objective evidence has been identified demonstrating that the revised mitigation strategy materially overcomes the Inspector's concerns regarding long-term landscape integration or the effectiveness of the landscape buffer.

No. The comparative review has not identified objective evidence demonstrating that the cumulative amendments materially overcome the Inspector's findings regarding layout, visual effects or the resulting landscape harm.

The applicant concludes that the revised proposal represents an improved design solution. However, no objective evidence has been identified demonstrating that the cumulative amendments materially alter the Inspector's conclusion that the proposal would fail to deliver a high-quality, visually attractive development.

Research Question

Have the cumulative changes to the layout, landscape strategy and engineering improved the overall design quality?

Are those improvements supported by robust evidence?

Which of the Inspector's findings remain applicable?

Which findings have genuinely been overcome?

Does the revised application demonstrate that the balance of the Inspector's conclusions should now be different?

Has the applicant demonstrated that the cumulative amendments are sufficient to displace the Inspector's overall conclusion that the proposal would fail to deliver a high-quality, visually attractive development?

Evidence-based Answer

The revised application demonstrates cumulative refinements to the layout, landscape strategy and engineering proposals. However, the comparative review has not identified objective evidence demonstrating that these amendments materially improve the overall design quality beyond that considered by the Inspector.

The revised application provides additional supporting documentation and updated visual evidence. However, no objective evidence has been identified demonstrating that the cumulative amendments justify a materially different conclusion regarding the overall quality of the development.

The Inspector's findings regarding the effectiveness of the landscape buffer, the visual effects experienced from Public Right of Way 25 and surrounding residential receptors, the treatment of the settlement edge and the resulting layout and visual effects remain applicable. No objective evidence has been identified demonstrating that these conclusions have been materially displaced.

The revised application provides refinements to aspects of the landscape framework and supporting evidence. However, no objective evidence has been identified demonstrating that the Inspector's principal concerns regarding layout and visual effects have been materially overcome.

No. Whilst the revised application provides a more comprehensive evidential basis for the applicant's case, the comparative review has not identified objective evidence demonstrating that the cumulative amendments materially alter the Inspector's overall planning judgement regarding character and appearance.

No. The comparative review has not identified objective evidence demonstrating that the cumulative effect of the revised layout, landscape strategy, engineering proposals and supporting evidence materially alters the Inspector's overall conclusion regarding the quality and visual attractiveness of the development.

Principal Question

Has the applicant demonstrated, through the cumulative effect of the revised layout, landscape strategy, engineering proposals and supporting evidence, that the Inspector's principal concerns regarding layout and visual effects have been overcome such that the proposal now delivers a high-quality, visually attractive development?

Evidence-based Answer

The revised application continues to address the overall character and appearance of the proposed development through the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, engineering proposals and supporting planning documents. The applicant concludes that the cumulative amendments to the layout, landscape framework and engineering works improve the overall quality of the development and provide a more appropriate relationship with the surrounding landscape, neighbouring residential properties and Public Right of Way 25.

The amended Landscape Masterplan, Proposed Site Layout and supporting Landscape and Visual Impact Assessment demonstrate refinements to the proposed landscape framework, settlement edge and structural planting.

The Planning Statement and Design and Access Statement similarly explain how the revised proposals seek to strengthen landscape integration, improve the visual relationship with the surrounding countryside and respond to the Inspector's findings regarding character and appearance.

However, the Inspector's conclusion in this paragraph was cumulative, rather than being founded upon any single aspect of the proposal. Whilst she accepted that the proposed density, scale and wider landscape effects were appropriate, she concluded that the layout and resulting visual effects remained unacceptable and that, taken together, these deficiencies meant the proposal would fail to deliver a high-quality, visually attractive development. Comparison of the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, engineering proposals and supporting documents has not identified objective evidence demonstrating that these cumulative physical relationships have been materially altered. Whilst the revised application refines aspects of the landscape strategy, layout and supporting evidence, it continues to rely upon substantially the same overall design approach, settlement edge, engineering strategy and long-term landscape mitigation previously considered by the Inspector.

The revised application therefore provides additional supporting evidence but does not demonstrate that the cumulative amendments materially alter the Inspector's overall conclusions regarding layout, visual effects or the quality of the proposed development.

Evidence-based Conclusion

Paragraph 57 represents the Inspector's overall conclusion on the character and appearance of the proposed development. Drawing together her earlier findings, she accepted that the proposed density, scale and wider landscape effects were acceptable but concluded that the layout and resulting visual effects remained unacceptable. It was the cumulative effect of these shortcomings that led her to conclude that the proposal would fail to deliver a high-quality, visually attractive development.

The revised application seeks to respond through refinements to the layout, landscape framework, engineering proposals and supporting visual evidence. These documents demonstrate that the applicant has maintained the principal design approach whilst providing a more comprehensive evidential basis for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the cumulative amendments materially alter the Inspector's overall planning judgement. Whilst aspects of the layout, landscape strategy and supporting documentation have been refined, no evidence has been identified demonstrating that the principal concerns regarding the settlement edge, landscape buffer, Public Right of Way 25, residential visual amenity and overall visual effects have been materially overcome. Accordingly, the evidence does not demonstrate that the Inspector's conclusion that the proposal would fail to deliver a high-quality, visually attractive development no longer applies.

Outcome: ✗ Not Addressed

Reason: Whilst it is recognised that the revised application includes cumulative refinements to the layout, landscape framework, engineering proposals and supporting documentation, no objective evidence has been identified demonstrating that these amendments materially alter the Inspector's overall assessment of the proposal's character and appearance.

The Inspector's conclusion in Paragraph 57 was founded upon the cumulative effect of the layout and resulting visual impacts rather than any single design issue. The comparative review has not identified objective evidence demonstrating that the revised proposals materially overcome those principal concerns or justify a different conclusion regarding the overall quality and visual attractiveness of the development. Accordingly, this matter is considered not addressed.

Paragraph 58

Inspector's Point

58. It would therefore cause significant harm to the character and appearance of the area and be contrary to Policy DMG1 of the CS. This policy requires, amongst other things, that developments are of a high standard of building design, sympathetic to existing and proposed land uses and consider the density, layout and relationship to surroundings, including impact on landscape character. This policy also requires that regard is had to the landscape or townscape of an area and the importance the open space has on this.

Summary

The Inspector concludes that the proposal would cause significant harm to the character and appearance of the area and would therefore conflict with Policy DMG1 of the Core Strategy. She identifies the proposal's shortcomings in relation to design quality, layout, relationship to its surroundings, landscape character and the contribution of open space.

Initial Thoughts

- This is the Inspector's formal policy conclusion on character and appearance.
- The conflict with Policy DMG1 arises from the cumulative effects identified throughout the previous paragraphs.
- The Inspector's finding of conflict with Policy DMG1 was a consequence of her earlier conclusions rather than an isolated policy interpretation. Has the cumulative effect of the revised proposals materially altered that policy assessment?
- Do the revised proposals overcome the specific elements of conflict identified by the Inspector?
- Does Policy DMG1 remain unchanged, or has it been amended since the appeal decision?
- If the policy has changed, does the revised proposal comply with the current policy requirements?
- Has the applicant demonstrated that the revised layout, landscape strategy and visual effects are now consistent with the requirements of Policy DMG1?
- Does the revised proposal now achieve the high standard of design required by the policy?

Additional Research Questions

Policy DMG1

- Does Policy DMG1 remain unchanged?
- Have any relevant policy requirements been amended or superseded?
- What are the current policy expectations regarding design, layout, landscape character and open space?
- If Policy DMG1 remains unchanged, has the revised proposal demonstrated compliance by materially overcoming the Inspector's factual findings rather than simply presenting additional supporting evidence?

Character and Appearance

- Have the revised proposals overcome the identified harm to the character and appearance of the area?
- Has the revised layout improved the relationship between the development and its surroundings?
- Have the revised landscape proposals addressed the Inspector's concerns?

Design Quality

- Does the revised proposal now achieve a high standard of design?
- Has the relationship between buildings, open space and landscape improved?
- Have the cumulative amendments altered the Inspector's previous conclusions?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the proposal now complies with Policy DMG1?
- Has the applicant systematically addressed each aspect of the Inspector's findings?
- Are those conclusions supported by the revised plans and technical evidence?
- Has the applicant demonstrated compliance with each element of Policy DMG1 identified by the Inspector as giving rise to conflict?

General Observation

Paragraph 58 represents the Inspector's formal policy conclusion on the character and appearance of the proposed development. Drawing together the cumulative findings of the preceding landscape and visual assessment, the Inspector concluded that the proposal would cause significant harm to the character and appearance of the area and would therefore conflict with Policy DMG1 of the Ribble Valley Core Strategy. Rather than identifying a single policy failure, the Inspector found that the proposal failed to satisfy a number of the policy's core design objectives relating to building design, layout, relationship to surrounding land uses, landscape character and the contribution of open space.

Importantly, the Inspector's finding of conflict with Policy DMG1 did not arise from an abstract interpretation of planning policy. It flowed directly from her earlier factual findings regarding the layout of the development, the effectiveness of the landscape buffer, the treatment of the settlement edge, the visual effects experienced from Public Right of Way 25 and surrounding residential receptors, and the resulting impact upon the character and appearance of the area. The revised application should therefore be assessed to determine whether the cumulative amendments to the proposal materially alter those underlying findings rather than simply providing additional supporting justification.

Particular consideration should be given to whether the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Design and Access Statement and Planning Statement collectively demonstrate that the revised proposal now satisfies the specific requirements of Policy DMG1 relating to design quality, layout, landscape character, relationship to surrounding land uses and the contribution of open space. The assessment should also consider whether the applicant has systematically addressed each element of conflict identified by the Inspector.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust supporting evidence capable of demonstrating that the Inspector's findings of conflict with Policy DMG1 no longer apply, or whether the revised proposals continue to rely upon substantially the same layout, landscape strategy, settlement edge and visual relationships that previously gave rise to conflict with the development plan.

Review of Submitted Evidence

Document 119 – Planning Statement

Relevant to Paragraph 58

The Planning Statement has been reviewed to determine whether the applicant demonstrates that the cumulative amendments to the proposal materially overcome the Inspector's findings of conflict with Policy DMG1 and whether the revised development should now be regarded as complying with the policy's requirements relating to design quality, layout, landscape character and relationship to its surroundings.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 58

The amended Design and Access Statement has been reviewed to identify how the applicant considers the revised proposal responds to the design objectives of Policy DMG1, including building design, layout, relationship to surrounding land uses, landscape character and the contribution of open space.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 58

The amended Proposed Site Layout has been reviewed to assess whether revisions to the layout materially improve the relationship between the proposed development, the surrounding landscape and neighbouring properties, thereby addressing the Inspector's conclusions regarding character and appearance.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 58

The amended Landscape Masterplan has been reviewed to determine whether the revised landscape framework, structural planting and settlement edge materially improve the proposal's relationship with the surrounding countryside and address the Inspector's findings regarding landscape character and visual integration.

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 58

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the cumulative amendments materially reduce the landscape and visual effects previously identified by the Inspector and whether the submitted evidence demonstrates compliance with the design and landscape objectives of Policy DMG1. Particular consideration has been given to whether the revised visual evidence substantiates the applicant's conclusions regarding character and appearance.

Document 75 – Committee Report

Relevant to Paragraph 58

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the cumulative amendments to the revised proposal materially overcome the Inspector's findings of conflict with Policy DMG1 and whether the proposal should now be regarded as complying with the development plan.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 58

The amended Proposed Site Sections have been reviewed to determine whether revisions to levels, landform and the stepped arrangement of the development materially improve the proposal's relationship with the surrounding landscape and neighbouring properties.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 58

The Explanation of Key Changes has been reviewed to identify those cumulative amendments the applicant considers relevant to compliance with Policy DMG1 and to determine whether those revisions are capable of altering the Inspector's overall policy conclusions.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's conclusions regarding conflict with Policy DMG1 no longer apply.

Particular consideration has been given to whether the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment (including the verified photomontages and visualisations), Design and Access Statement and Planning Statement demonstrate that the cumulative amendments materially improve the proposal's character, appearance, layout, landscape integration and relationship with its surroundings. The review also considers whether the revised application provides objective evidence demonstrating compliance with the specific design objectives of Policy DMG1 identified by the Inspector as giving rise to conflict.

The assessment is evidence-led and considers the revised layout, landscape proposals, visual evidence, engineering drawings and supporting planning documents collectively to determine whether the cumulative amendments materially alter the Inspector's overall policy assessment, or whether the revised application continues to rely upon substantially the same layout, landscape strategy, settlement edge and visual relationships that previously resulted in conflict with Policy DMG1. Particular consideration has been given to whether the applicant has demonstrated that the factual findings underpinning the Inspector's policy conclusion have been materially overcome rather than simply providing additional supporting evidence for substantially the same development.

Documents Reviewed

Primary Documents

- 119 – Planning Statement
- 13/14 – Amended Design and Access Statement
- 50/55 – Amended Proposed Site Layout
- 24 – Amended Landscape Masterplan
- 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Secondary Documents

- 75 – Committee Report
- 56–58 – Amended Proposed Site Sections
- 87 – Explanation of Key Changes

Comparative Appeal Documents

- 199–201 – Appeal Landscape and Visual Impact Assessment
- 230 – Appeal Landscape Masterplan
- 241/242 – Appeal Proposed Site Layout

- 246 – Appeal Decision
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Does Policy DMG1 remain unchanged?

Have any relevant policy requirements been amended or superseded?

What are the current policy expectations regarding design, layout, landscape character and open space?

If Policy DMG1 remains unchanged, has the revised proposal demonstrated compliance by materially overcoming the Inspector's factual findings rather than simply presenting additional supporting evidence?

Evidence-based Answer

The comparative review has been undertaken against the policy framework relied upon by the Inspector. Subject to confirmation that Policy DMG1 remains unchanged, no material change to the policy requirements has been identified that would alter the basis of the Inspector's assessment.

No objective evidence has been identified within the submitted application documents demonstrating that the policy requirements applied by the Inspector have been amended in a manner material to this assessment. (*Subject to confirmation through the current Development Plan.*)

Policy DMG1 continues to require a high standard of design, an appropriate relationship between development and its surroundings, careful consideration of layout, density, landscape character and the contribution of open space. The revised proposal has therefore been assessed against these same broad policy objectives.

No. The comparative review has not identified objective evidence demonstrating that the revised proposal materially overcomes the factual findings that underpinned the Inspector's conclusion of conflict with Policy DMG1.

Research Question

Have the revised proposals overcome the identified harm to the character and appearance of the area?

Has the revised layout improved the relationship between the development and its surroundings?

Have the revised landscape proposals addressed the Inspector's concerns?

Does the revised proposal now achieve a high standard of design?

Has the relationship between buildings, open space and landscape improved?

Have the cumulative amendments altered the Inspector's previous conclusions?

Evidence-based Answer

The revised application demonstrates refinements to the layout, landscape framework and supporting evidence. However, no objective evidence has been identified demonstrating that the cumulative harm to character and appearance identified by the Inspector has been materially overcome.

Comparison of the amended Proposed Site Layout with the appeal scheme demonstrates a number of revisions. However, no objective evidence has been identified demonstrating that these amendments materially alter the relationship between the proposed development, the surrounding landscape and neighbouring properties.

The amended Landscape Masterplan and Landscape and Visual Impact Assessment demonstrate refinements to the landscape strategy. However, no objective evidence has been identified demonstrating that these revisions materially overcome the Inspector's concerns regarding the landscape buffer, settlement edge or long-term landscape integration.

The applicant concludes that the revised proposal represents an improved design solution. However, no objective evidence has been identified demonstrating that the cumulative amendments materially alter the Inspector's conclusion regarding the overall quality of the development.

The revised application demonstrates refinements to the relationship between buildings, landscape and open space. However, the comparative review has not identified objective evidence demonstrating that these changes materially improve the proposal beyond that previously considered by the Inspector.

No. The comparative review has not identified objective evidence demonstrating that the cumulative amendments materially alter the Inspector's findings regarding character, appearance, layout or landscape integration.

Research Question

Do the revised Planning Statement and Design and Access Statement explain how the proposal now complies with Policy DMG1?

Has the applicant systematically addressed each aspect of the Inspector's findings?

Has the applicant demonstrated compliance with each element of Policy DMG1 identified by the Inspector as giving rise to conflict?

Evidence-based Answer

The revised Planning Statement and Design and Access Statement explain how the applicant considers the amended proposal responds to Policy DMG1. However, no objective evidence has been identified demonstrating that these explanations are supported by substantive physical changes capable of altering the Inspector's conclusions.

The applicant has responded to the Inspector's findings through revisions to the layout, landscape strategy and supporting evidence. However, the comparative review has not identified objective evidence demonstrating that each of the principal concerns underpinning the Inspector's conclusion of conflict with Policy DMG1 has been materially overcome.

No. Whilst the revised application seeks to respond to each of the Inspector's concerns, the comparative review has not identified objective evidence demonstrating that the cumulative amendments materially overcome the factual findings that led to the Inspector's conclusion that the proposal conflicted with Policy DMG1.

Principal Question

Has the applicant demonstrated, through substantive amendments to the proposal and robust supporting evidence, that the revised development overcomes the Inspector's findings of conflict with Policy DMG1 by addressing the identified harm to character, appearance, layout, landscape character and design quality?

Evidence-based Answer

The revised application continues to address the matters identified by the Inspector through the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Design and Access Statement, Planning Statement and supporting technical evidence. The applicant concludes that the cumulative amendments to the layout, landscape framework, engineering proposals and visual evidence improve the overall quality of the development and demonstrate compliance with the design objectives of Policy DMG1.

The Planning Statement and Design and Access Statement explain how the revised proposal seeks to provide a higher quality relationship between the development, the surrounding landscape and neighbouring land uses. The revised Landscape Masterplan and Landscape and Visual Impact Assessment similarly conclude that the amended landscape strategy, settlement edge and structural planting improve landscape integration and reduce the visual effects previously identified.

However, the Inspector's conclusion in this paragraph flowed directly from her earlier factual findings regarding the character and appearance of the proposal. Her finding of conflict with Policy DMG1 arose because she concluded that the layout, relationship with the surrounding landscape, treatment of the settlement edge, effectiveness of the landscape buffer and resulting visual effects failed to achieve the standard of design required by the development plan. Comparison of the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Design and Access Statement and supporting technical evidence has not identified objective evidence demonstrating that these underlying factual findings have been materially altered. Whilst the revised application refines aspects of the layout, landscape strategy and supporting evidence, it continues to rely upon substantially the same overall design approach, settlement edge, landscape framework and long-term mitigation previously considered by the Inspector.

The revised application therefore provides additional supporting evidence but does not demonstrate that the cumulative amendments materially alter the factual basis upon which the Inspector concluded that the proposal conflicted with Policy DMG1.

Evidence-based Conclusion

Paragraph 58 represents the Inspector's formal policy conclusion on character and appearance. Drawing together her earlier findings, she concluded that the proposal would cause significant harm to the character and appearance of the area and would therefore conflict with Policy DMG1 of the Core Strategy. That conclusion was not based upon policy interpretation alone but upon the cumulative factual findings regarding the layout, design quality, relationship with the surrounding landscape, settlement edge, landscape character and visual effects.

The revised application seeks to respond through refinements to the layout, landscape framework, engineering proposals and supporting planning evidence. These documents demonstrate that the applicant has sought to address the Inspector's concerns and provide a more comprehensive justification for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the cumulative physical changes materially alter the factual findings that underpinned the Inspector's conclusion of conflict with Policy DMG1. Whilst aspects of the proposal and supporting documentation have been refined, no evidence has been identified demonstrating that the principal concerns regarding character, appearance, layout, landscape character and design quality have been materially overcome. Accordingly, the evidence does not demonstrate that the Inspector's conclusion that the proposal conflicts with Policy DMG1 no longer applies.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application includes refinements to the layout, landscape framework, supporting technical evidence and design justification, no objective evidence has been identified demonstrating that the cumulative physical changes materially alter the factual findings that led the Inspector to conclude that the proposal conflicted with Policy DMG1.

The Inspector's finding of conflict with Policy DMG1 was the direct consequence of her conclusions regarding the proposal's character, appearance, layout, landscape integration and visual effects. The comparative review has not identified objective evidence demonstrating that the revised proposals materially overcome those underlying findings or justify a different conclusion on policy compliance. Accordingly, this matter is considered not addressed.

Paragraph 59

Inspector's Point

59. The proposal would also be contrary to paragraphs 129 and 135 of the Framework which outlines, amongst other things, the importance of securing well-designed, attractive places. It is also outlined that decisions should ensure that developments add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Summary

The Inspector concludes that the proposal conflicts with national planning policy by failing to deliver a well-designed and visually attractive development. She places particular emphasis on the requirement for development to enhance the quality of an area throughout its lifetime through good architecture, layout and effective landscaping.

Initial Thoughts

- This is the Inspector's formal conclusion on compliance with national planning policy.
- The Inspector places emphasis on the lifetime performance of the development, not simply its appearance upon completion.
- The Inspector's conclusion is founded upon the cumulative design deficiencies identified throughout the decision rather than any isolated aspect of the proposal. Has the revised application materially altered that overall design assessment?

- Effective landscaping is identified as a key component of good design.
- Has the revised application demonstrated that the proposed landscape strategy will remain effective throughout the lifetime of the development rather than relying upon optimistic assumptions regarding future planting maturity?
- Do the equivalent paragraphs of the current National Planning Policy Framework remain the same, or have they been renumbered or amended?
- Has the applicant demonstrated that the revised proposal now delivers a well-designed, visually attractive development throughout its lifetime?
- Has the applicant demonstrated that the proposed landscaping will be effective over both the short and long term?
- Do the revised proposals overcome the Inspector's concerns regarding layout, visual quality and long-term landscape integration?

Additional Research Questions

National Planning Policy

- Do the equivalent provisions of the current National Planning Policy Framework remain unchanged?
- Have the relevant paragraphs been renumbered or amended since the appeal decision?
- Does the revised proposal satisfy the current national policy requirements for well-designed places?

Long-Term Design Quality

- Has the applicant demonstrated that the development will remain visually attractive throughout its lifetime?
- Does the revised proposal rely upon future landscape maturity to achieve acceptability?
- If the relevant national policy objectives remain substantially unchanged, has the revised proposal materially overcome the factual findings that led the Inspector to conclude that the proposal conflicted with national policy?
- Is there evidence that the landscape strategy will be effective in both the short and long term?
- Does the revised proposal continue to depend upon the successful establishment and long-term retention of landscape planting to achieve policy compliance?

Landscape and Layout

- Have the revisions improved the layout and visual relationship with the surrounding landscape?
- Has the landscape strategy been strengthened sufficiently to address the Inspector's concerns?
- Do the revised drawings and visual evidence support the applicant's conclusions?

Applicant's Response

- Do the revised Planning Statement and Design and Access Statement explain how the revised proposal now complies with national policy?
- Has the applicant specifically addressed the Inspector's conclusions regarding long-term design quality?
- Are those conclusions supported consistently across the revised application documents?

Review of Submitted Evidence

Document 119 – Planning Statement

Relevant to Paragraph 59

The Planning Statement has been reviewed to determine whether the applicant demonstrates that the cumulative amendments to the proposal materially overcome the Inspector's findings of conflict with national planning policy relating to good design and whether the revised development should now be regarded as delivering a well-designed, visually attractive place throughout its lifetime.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 59

The amended Design and Access Statement has been reviewed to identify how the applicant considers the revised proposal responds to the National Planning Policy Framework's objectives for good design, including building design, layout, landscape integration, visual attractiveness and the creation of high-quality places.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 59

The amended Landscape Masterplan has been reviewed to determine whether the revised landscape framework, structural planting and settlement edge materially improve the long-term quality of the development and provide effective landscape mitigation throughout the lifetime of the proposal.

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 59

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the cumulative amendments materially reduce the landscape and visual effects previously identified by the Inspector and whether the submitted evidence demonstrates that the revised proposal will remain visually attractive throughout its lifetime. Particular consideration has been given to whether the revised visual evidence substantiates the applicant's conclusions regarding long-term landscape integration and design quality.

Document 75 – Committee Report

Relevant to Paragraph 59

The Committee Report has been reviewed to establish whether the Local Planning Authority considers that the cumulative amendments to the revised proposal materially overcome the Inspector's findings of conflict with national planning policy relating to good design and whether the proposal should now be regarded as a well-designed development.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 59

The amended Proposed Site Layout has been reviewed to assess whether revisions to the layout materially improve the overall quality of the development and its relationship with the surrounding landscape and neighbouring properties throughout the lifetime of the proposal.

Documents 56–58 – Amended Proposed Site Sections

Relevant to Paragraph 59

The amended Proposed Site Sections have been reviewed to determine whether revisions to levels, landform and the stepped arrangement of development materially improve the long-term visual relationship between the proposal, the surrounding landscape and neighbouring properties.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 59

The Explanation of Key Changes has been reviewed to identify those cumulative amendments the applicant considers relevant to compliance with national planning policy on good design and to determine whether those revisions are capable of altering the Inspector's overall conclusions regarding the lifetime quality of the development.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's conclusions regarding conflict with national planning policy on good design no longer apply.

Particular consideration has been given to whether the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment (including the verified photomontages and visualisations), Design and Access Statement and Planning Statement demonstrate that the cumulative amendments materially improve the proposal's long-term design quality, landscape integration and visual attractiveness. The review also considers whether the revised application provides objective evidence demonstrating that the development would enhance the quality of the area throughout its lifetime through good architecture, an appropriate layout and effective landscaping.

The assessment is evidence-led and considers the revised layout, landscape proposals, visual evidence, engineering drawings and supporting planning documents collectively to determine whether the cumulative amendments materially alter the Inspector's overall assessment against national planning policy, or whether the revised application continues to rely upon substantially the same layout, landscape strategy, settlement edge and long-term landscape assumptions previously considered at the appeal. Particular consideration has been given to whether the applicant has demonstrated that the factual findings underpinning the Inspector's conclusion of conflict with national policy have been materially overcome rather than simply providing additional supporting evidence.

Documents Reviewed

Primary Documents

- 119 – Planning Statement
- 13/14 – Amended Design and Access Statement
- 24 – Amended Landscape Masterplan
- 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)
- 75 – Committee Report

Secondary Documents

- 50/55 – Amended Proposed Site Layout
- 56–58 – Amended Proposed Site Sections
- 87 – Explanation of Key Changes

Comparative Appeal Documents

- 199–201 – Appeal Landscape and Visual Impact Assessment
- 230 – Appeal Landscape Masterplan
- 241/242 – Appeal Proposed Site Layout
- 246 – Appeal Decision
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Evidence-based Answer

Do the equivalent provisions of the current National Planning Policy Framework remain unchanged?

The comparative review has been undertaken against the national policy framework relied upon by the Inspector. Subject to confirmation of the current National Planning Policy Framework, no material change to the underlying objectives relating to well-designed places has been identified that would alter the basis of the Inspector's assessment. *(To be confirmed during final policy verification.)*

Have the relevant paragraphs been renumbered or amended since the appeal decision?

No objective evidence has been identified within the submitted application documents demonstrating that any changes to the National Planning Policy Framework materially affect the Inspector's conclusions. *(To be confirmed during final policy verification.)*

Does the revised proposal satisfy the current national policy requirements for well-designed places?

The revised proposal has been assessed against the national policy objectives for delivering well-designed, visually attractive places that enhance the quality of an area throughout the lifetime of the development. However, no objective evidence has been identified demonstrating that the revised proposals materially overcome the factual findings that underpinned the Inspector's conclusion of conflict with national policy.

If the relevant national policy objectives remain substantially unchanged, has the revised proposal materially overcome the factual findings that led the Inspector to conclude that the proposal conflicted with national policy?

No. The comparative review has not identified objective evidence demonstrating that the revised proposal materially overcomes the factual findings regarding layout, visual effects, landscape integration and long-term design quality that formed the basis of the Inspector's conclusions.

Has the applicant demonstrated that the development will remain visually attractive throughout its lifetime?

The revised application continues to rely upon refinements to the layout, landscape framework and supporting evidence to demonstrate long-term design quality. However, no objective evidence has been identified demonstrating that the proposal would perform materially differently throughout its lifetime than the scheme considered by the Inspector.

Does the revised proposal rely upon future landscape maturity to achieve acceptability?

Yes. The revised Landscape Masterplan and Landscape and Visual Impact Assessment continue to rely upon the successful establishment and long-term maturation of structural planting to soften the visual effects of the development and improve landscape integration.

Research Question

Is there evidence that the landscape strategy will be effective in both the short and long term?

Does the revised proposal continue to depend upon the successful establishment and long-term retention of landscape planting to achieve policy compliance?

Have the revisions improved the layout and visual relationship with the surrounding landscape?

Has the landscape strategy been strengthened sufficiently to address the Inspector's concerns?

Do the revised drawings and visual evidence support the applicant's conclusions?

Do the revised Planning Statement and Design and Access Statement explain how the revised proposal now complies with national policy?

Evidence-based Answer

The applicant concludes that the revised landscape strategy will provide effective long-term mitigation. However, the comparative review has not identified objective evidence demonstrating that the revised proposals materially overcome the Inspector's concerns regarding the effectiveness of landscape mitigation over the lifetime of the development.

Yes. No objective evidence has been identified demonstrating that the revised proposal materially reduces its reliance upon the successful long-term establishment, retention and management of structural landscape planting.

The revised application demonstrates refinements to the layout and landscape strategy. However, no objective evidence has been identified demonstrating that these amendments materially alter the relationship between the proposed development and the surrounding landscape when compared with the appeal proposal.

The amended Landscape Masterplan demonstrates refinements to the proposed planting and landscape framework. However, no objective evidence has been identified demonstrating that these revisions materially overcome the Inspector's concerns regarding the landscape buffer, settlement edge or long-term landscape integration.

The revised application provides updated drawings, viewpoints and verified photomontages. However, the comparative review has not identified objective evidence demonstrating that the submitted visual evidence substantiates a materially different conclusion regarding the proposal's long-term design quality or visual attractiveness.

The revised Planning Statement and Design and Access Statement explain how the applicant considers the amended proposal responds to national planning policy. However, no objective evidence has been identified demonstrating that these explanations are supported by substantive physical changes capable of altering the Inspector's conclusions.

Research Question

Has the applicant specifically addressed the Inspector's conclusions regarding long-term design quality?

Are those conclusions supported consistently across the revised application documents?

Evidence-based Answer

The applicant has sought to address the Inspector's concerns through revisions to the layout, landscape strategy and supporting evidence. However, the comparative review has not identified objective evidence demonstrating that the cumulative amendments materially overcome the Inspector's findings regarding the lifetime quality of the development.

The revised application documents present a consistent case in support of the amended proposal. However, no objective evidence has been identified demonstrating that the cumulative amendments materially alter the factual findings that underpinned the Inspector's conclusion of conflict with national planning policy.

Principal Question

Has the applicant demonstrated, through substantive amendments to the proposal and robust supporting evidence, that the revised development now complies with the current National Planning Policy Framework by delivering a well-designed, visually attractive development that will enhance the quality of the area throughout its lifetime?

Evidence-based Answer

The revised application continues to address the Inspector's concerns regarding national planning policy through the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Design and Access Statement, Planning Statement and supporting technical evidence. The applicant concludes that the cumulative amendments to the layout, landscape framework, engineering proposals and visual evidence improve the overall quality of the development and demonstrate that the proposal would deliver a well-designed and visually attractive place throughout its lifetime.

The Planning Statement and Design and Access Statement explain how the revised proposal seeks to improve the relationship between the proposed development, the surrounding landscape and neighbouring land uses through refinements to the layout, structural planting and landscape framework. The revised Landscape Masterplan and Landscape and Visual Impact Assessment similarly conclude that the amended landscape strategy will provide effective long-term landscape integration and reduce the visual effects identified at the appeal.

However, the Inspector's conclusion in this paragraph flowed directly from her earlier factual findings regarding the character, appearance and long-term performance of the proposal. Her finding of conflict with national planning policy arose because she concluded that the layout, visual effects and reliance upon future landscape mitigation meant the proposal would fail to deliver a well-designed and visually attractive development throughout its lifetime. Comparison of the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Design and Access Statement and supporting technical evidence has not identified objective evidence demonstrating that these underlying factual findings have been materially altered. Whilst the revised application refines aspects of the layout, landscape strategy and supporting evidence, it continues to rely upon substantially the same overall design approach, settlement edge, landscape framework and long-term establishment of structural planting previously considered by the Inspector.

The revised application therefore provides additional supporting evidence but does not demonstrate that the cumulative amendments materially alter the factual basis upon which the Inspector concluded that the proposal conflicted with national planning policy relating to well-designed places.

Evidence-based Conclusion

Paragraph 59 represents the Inspector's formal conclusion on compliance with national planning policy relating to good design. Drawing together her earlier findings, she concluded that the proposal failed to deliver a well-designed and visually attractive development that would enhance the quality of the area throughout its lifetime. That conclusion was based upon the cumulative factual findings regarding the layout, visual quality, landscape integration, settlement edge and reliance upon effective long-term landscape mitigation.

The revised application seeks to respond through refinements to the layout, landscape framework, engineering proposals and supporting planning evidence. These documents demonstrate that the applicant has sought to address the Inspector's concerns and provide a more comprehensive justification for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the cumulative physical changes materially alter the factual findings that underpinned the Inspector's conclusion of conflict with national planning policy. Whilst aspects of the proposal and supporting documentation have been refined, no evidence has been identified demonstrating that the principal concerns regarding layout, visual quality, landscape integration and long-term design performance have been materially overcome. Accordingly, the evidence does not demonstrate that the Inspector's conclusion that the proposal conflicts with national planning policy relating to well-designed places no longer applies.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application includes refinements to the layout, landscape framework, supporting technical evidence and design justification, no objective evidence has been identified demonstrating that the cumulative physical changes materially alter the factual findings that led the Inspector to conclude that the proposal conflicted with the National Planning Policy Framework's objectives for well-designed and visually attractive places.

The Inspector's finding of conflict with national planning policy was the direct consequence of her conclusions regarding the proposal's character, appearance, layout, visual quality and long-term landscape integration. The comparative review has not identified objective evidence demonstrating that the revised proposals materially overcome those underlying findings or justify a different conclusion on compliance with national planning policy. Accordingly, this matter is considered not addressed.

Paragraph 68

Inspector's Point

69. Nonetheless, the proposal is in conflict with the development plan in respect of the effects on character and appearance.

Summary

The Inspector concludes that, despite the proposal's benefits, it conflicts with the development plan because of its harmful effects on the character and appearance of the area.

Initial Thoughts

- This is the Inspector's overarching conclusion on development plan compliance.
- The conflict with the development plan arises solely from the findings on character and appearance.
- The Inspector's conclusion on development plan conflict is consequential rather than independent. If the findings on character and appearance remain materially unchanged, does the conflict with the development plan necessarily remain?
- Has the applicant demonstrated that the revised proposal overcomes the identified harm to character and appearance?
- If the identified harm has not been overcome, does the conflict with the development plan remain?

- Has anything changed in the current Development Plan that would alter this conclusion?
- Does the Committee Report reach the same conclusion regarding development plan compliance?
- If the Committee Report reaches a different conclusion, does it identify substantive physical changes capable of displacing the Inspector's earlier findings, or does it simply reach a different planning judgement on substantially the same evidence?

Additional Research Questions

Development Plan Compliance

- Does the revised proposal continue to conflict with Policy DMG1?
- Have any relevant Development Plan policies changed since the appeal decision?
- Does the current policy framework alter the Inspector's conclusion?
- If the relevant development plan policies remain materially unchanged, has the applicant demonstrated that the factual findings underpinning the Inspector's conclusion have been overcome?

Character and Appearance

- Have the amendments to the layout, landscape strategy and visual mitigation overcome the Inspector's concerns?
- Does the revised proposal now provide a high-quality, visually attractive development?
- Is there sufficient evidence to demonstrate that the previous harm has been addressed?

Overall Assessment

- Does the Committee Report conclude that the proposal now complies with the Development Plan?
- If so, what evidence supports that conclusion?
- Have the applicant's amendments materially altered the planning assessment?
- Does the evidence demonstrate that the conflict with the development plan has been removed, or merely that additional supporting justification has been provided for substantially the same proposal?

General Observation

Paragraph 68 represents the Inspector's overarching conclusion on compliance with the Development Plan. Having undertaken the planning balance, she concluded that, notwithstanding the benefits of the proposal, conflict with the Development Plan remained because of the significant harm previously identified in relation to the character and appearance of the area.

Importantly, this was not identified as a separate or additional planning harm but as the direct policy consequence of the conclusions reached throughout the preceding character and appearance assessment.

The Inspector's finding of Development Plan conflict therefore depended entirely upon her earlier conclusions regarding the layout of the development, the effectiveness of the landscape buffer, the treatment of the settlement edge, the visual effects experienced from Public Right of Way 25 and surrounding residential receptors, and the resulting impact upon the character and appearance of the area. The revised application should therefore be assessed to determine whether the cumulative amendments materially alter those underlying factual findings rather than simply providing additional supporting justification.

Particular consideration should be given to whether the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Design and Access Statement, Planning Statement and Committee Report collectively demonstrate that the Inspector's findings on character and appearance have been materially overcome such that the previous conflict with the Development Plan no longer arises. The assessment should also consider whether any change in the planning authority's overall conclusion is supported by substantive physical changes to the proposal or by a different planning judgement on substantially the same evidence.

The assessment will therefore consider whether the revised application provides substantive physical changes and robust supporting evidence capable of demonstrating that the Inspector's conclusion of conflict with the Development Plan no longer applies, or whether the revised proposals continue to rely upon substantially the same layout, landscape strategy, settlement edge and visual relationships that previously gave rise to conflict with the Development Plan.

Review of Submitted Evidence

Document 119 – Planning Statement

Relevant to Paragraph 68

The Planning Statement has been reviewed to determine whether the applicant demonstrates that the cumulative amendments to the proposal materially overcome the Inspector's findings on character and appearance such that the previous conflict with the Development Plan no longer arises.

Document 75 – Committee Report

Relevant to Paragraph 68

The Committee Report has been reviewed to establish whether the Local Planning Authority concludes that the revised proposal now complies with the Development Plan and, if so, whether that conclusion is supported by substantive physical changes to the proposal or by a different planning judgement on substantially the same evidence.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 68

The amended Design and Access Statement has been reviewed to identify how the applicant considers the revised proposal responds to the Development Plan objectives relating to character, appearance, layout, landscape integration and design quality.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 68

The amended Landscape Masterplan has been reviewed to determine whether the revised landscape framework, structural planting and settlement edge materially improve the proposal's relationship with the surrounding landscape and overcome the Inspector's findings regarding character and appearance.

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 68

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the cumulative amendments materially reduce the landscape and visual effects previously identified by the Inspector and whether the submitted evidence demonstrates that the previous conflict with the Development Plan has been overcome. Particular consideration has been given to whether the revised visual evidence substantiates the applicant's conclusions regarding character and appearance.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 68

The amended Proposed Site Layout has been reviewed to assess whether revisions to the layout materially improve the relationship between the proposed development, the surrounding landscape and neighbouring properties, thereby addressing the Inspector's findings on character and appearance.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 68

The Explanation of Key Changes has been reviewed to identify those cumulative amendments the applicant considers relevant to overcoming the Inspector's findings on character and appearance and achieving compliance with the Development Plan.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's conclusion of conflict with the Development Plan no longer applies.

Particular consideration has been given to whether the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment (including the verified photomontages and visualisations), Design and Access Statement, Planning Statement and Committee Report demonstrate that the cumulative amendments materially overcome the Inspector's findings regarding character and appearance. The review also considers whether the revised application provides objective evidence demonstrating that the proposal now complies with the relevant Development Plan policies or whether it continues to rely upon substantially the same design approach, landscape strategy and spatial relationships considered at the appeal.

The assessment is evidence-led and considers the revised layout, landscape proposals, visual evidence and supporting planning documents collectively to determine whether the cumulative amendments materially alter the Inspector's overall conclusion on Development Plan compliance, or whether the revised application continues to rely upon substantially the same factual circumstances that previously gave rise to conflict with the Development Plan. Particular consideration has been given to whether any revised planning judgement is supported by substantive physical changes to the proposal rather than by additional supporting evidence or a different interpretation of substantially the same scheme.

Documents Reviewed

Primary Documents

- 119 – Planning Statement
- 75 – Committee Report
- 13/14 – Amended Design and Access Statement
- 24 – Amended Landscape Masterplan
- 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Secondary Documents

- 50/55 – Amended Proposed Site Layout
- 87 – Explanation of Key Changes

Comparative Appeal Documents

- 199–201 – Appeal Landscape and Visual Impact Assessment
- 230 – Appeal Landscape Masterplan
- 241/242 – Appeal Proposed Site Layout
- 246 – Appeal Decision
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Evidence-based Answer

Does the revised proposal continue to conflict with Policy DMG1?

Subject to confirmation that the relevant Development Plan policies remain materially unchanged, the comparative review has not identified objective evidence demonstrating that the revised proposal materially overcomes the Inspector's findings of conflict with Policy DMG1.

Have any relevant Development Plan policies changed since the appeal decision?

No objective evidence has been identified within the submitted application documents demonstrating that any changes to the Development Plan materially affect the Inspector's conclusions. *(To be confirmed during final policy verification.)*

Does the current policy framework alter the Inspector's conclusion?

The revised proposal has been assessed against the Development Plan policies relied upon by the Inspector. However, no objective evidence has been identified demonstrating that the current policy framework materially alters the basis of the Inspector's conclusion regarding conflict with the Development Plan.

If the relevant Development Plan policies remain materially unchanged, has the applicant demonstrated that the factual findings underpinning the Inspector's conclusion have been overcome?

No. The comparative review has not identified objective evidence demonstrating that the revised proposal materially overcomes the factual findings regarding character, appearance, layout, landscape integration and visual effects that formed the basis of the Inspector's conclusion.

Have the amendments to the layout, landscape strategy and visual mitigation overcome the Inspector's concerns?

The revised application demonstrates refinements to the layout, landscape strategy and supporting visual evidence. However, no objective evidence has been identified demonstrating that these cumulative amendments materially overcome the Inspector's principal concerns regarding character and appearance.

Does the revised proposal now provide a high-quality, visually attractive development?

The applicant concludes that the revised proposal represents an improved design solution. However, no objective evidence has been identified demonstrating that the cumulative amendments materially alter the Inspector's conclusion regarding the overall quality and visual attractiveness of the development.

Research Question

Is there sufficient evidence to demonstrate that the previous harm has been addressed?

Does the Committee Report conclude that the proposal now complies with the Development Plan?

If so, what evidence supports that conclusion?

Have the applicant's amendments materially altered the planning assessment?

Does the evidence demonstrate that the conflict with the Development Plan has been removed, or merely that additional supporting justification has been provided for substantially the same proposal?

Evidence-based Answer

No. The comparative review has not identified objective evidence demonstrating that the previous harm to character and appearance identified by the Inspector has been materially overcome.

The Committee Report has been reviewed as part of this comparative assessment. Where it concludes that the revised proposal is acceptable, the assessment considers whether that conclusion is supported by substantive physical changes to the proposal.

The Committee Report relies upon the amended layout, landscape strategy, supporting technical assessments and planning evidence. However, the comparative review has not identified objective evidence demonstrating that these cumulative amendments materially alter the factual findings underpinning the Inspector's conclusion of conflict with the Development Plan.

No. Whilst the revised application provides additional supporting documentation and a number of design refinements, the comparative review has not identified objective evidence demonstrating that the cumulative amendments materially alter the Inspector's overall planning assessment regarding character and appearance or the resulting conflict with the Development Plan.

The comparative review has not identified objective evidence demonstrating that the conflict with the Development Plan has been removed. Rather, the revised application provides additional supporting justification and refinements for a proposal that continues to rely upon substantially the same layout, landscape strategy, settlement edge and long-term landscape mitigation previously considered by the Inspector.

Principal Question

Has the applicant demonstrated that the revised proposal overcomes the Inspector's findings on character and appearance such that the previous conflict with the Development Plan no longer exists?

Evidence-based Answer

The revised application continues to address the Inspector's findings on character and appearance through the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Design and Access Statement, Planning Statement and supporting technical evidence. The applicant concludes that the cumulative amendments to the layout, landscape framework, engineering proposals and visual evidence improve the overall quality of the development and demonstrate that the proposal no longer conflicts with the Development Plan.

The Planning Statement, Design and Access Statement and Landscape and Visual Impact Assessment explain how the revised proposal seeks to improve the relationship between the proposed development, the surrounding landscape and neighbouring land uses through refinements to the layout, structural planting and landscape framework. The Committee Report similarly considers the amended proposals and reaches an overall planning judgement on the revised scheme.

However, the Inspector's conclusion in this paragraph flowed directly from her earlier factual findings regarding the character and appearance of the proposal. Her finding of conflict with the Development Plan arose because she concluded that the layout, visual effects, settlement edge and reliance upon long-term landscape mitigation resulted in significant harm to the character and appearance of the area. Comparison of the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Committee Report and supporting technical evidence has not identified objective evidence demonstrating that these underlying factual findings have been materially altered. Whilst the revised application refines aspects of the layout, landscape strategy and supporting evidence, it continues to rely upon substantially the same overall design approach, settlement edge, landscape framework and long-term landscape mitigation previously considered by the Inspector.

The revised application therefore provides additional supporting evidence but does not demonstrate that the cumulative amendments materially alter the factual basis upon which the Inspector concluded that the proposal conflicted with the Development Plan.

Evidence-based Conclusion

Paragraph 68 represents the Inspector's overarching conclusion on Development Plan compliance. Drawing together her earlier findings, she concluded that, notwithstanding the benefits of the proposal, conflict with the Development Plan remained because of the significant harm identified in relation to the character and appearance of the area. That conclusion was not based upon a separate assessment of policy but upon the cumulative factual findings regarding the layout, visual quality, landscape integration and settlement edge.

The revised application seeks to respond through refinements to the layout, landscape framework, engineering proposals and supporting planning evidence. These documents demonstrate that the applicant has sought to address the Inspector's concerns and provide a more comprehensive justification for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the cumulative physical changes materially alter the factual findings that underpinned the Inspector's conclusion of conflict with the Development Plan. Whilst aspects of the proposal and supporting documentation have been refined, no evidence has been identified demonstrating that the principal concerns regarding character, appearance, layout, landscape integration and visual effects have been materially overcome. Accordingly, the evidence does not demonstrate that the Inspector's conclusion that the proposal conflicts with the Development Plan no longer applies.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application includes refinements to the layout, landscape framework, supporting technical evidence and design justification, no objective evidence has been identified demonstrating that the cumulative physical changes materially alter the factual findings that led the Inspector to conclude that the proposal conflicted with the Development Plan.

The Inspector's finding of conflict with the Development Plan was the direct consequence of her conclusions regarding the proposal's character, appearance, layout, visual quality and landscape integration. The comparative review has not identified objective evidence demonstrating that the revised proposals materially overcome those underlying findings or justify a different conclusion on Development Plan compliance. Accordingly, this matter is considered not addressed.

Paragraph 72

Inspector's Point

72. Taking all of these considerations together in the overall planning balance, the harm that I have found to the character and appearance of the area would not be outweighed by the benefits when taken individually or cumulatively.

Summary

The Inspector concludes that, having weighed all of the identified benefits against the identified harm, the adverse effects on the character and appearance of the area remain determinative. Neither the individual benefits nor their cumulative effect outweigh the identified harm.

Initial Thoughts

- This is the Inspector's overall planning balance.
- The Inspector concludes that the identified harm remains decisive despite the significant benefits of the proposal.
- The Inspector's planning balance depended upon the cumulative findings reached throughout the decision rather than any single issue. Has the revised application materially altered those underlying findings?
- Has the applicant demonstrated that the identified harm has been materially reduced or removed?
- Have any new planning benefits been introduced that were not before the Inspector?
- Has anything changed that would alter the overall planning balance?
- Has the weight to be afforded to either the identified harm or the planning benefits materially changed since the appeal?
- Does the revised proposal now demonstrate that the cumulative benefits outweigh any remaining harm?
- This paragraph should be revisited after completing the review of all preceding evidence, as its conclusion depends upon whether the Inspector's earlier findings have genuinely been overcome.

Additional Research Questions

Character and Appearance

- Have the Inspector's findings on character and appearance been overcome?
- Does the revised proposal still result in unacceptable visual effects?
- Have the layout, landscape strategy and engineering works been sufficiently improved?

Planning Benefits

- Have any new planning benefits arisen since the appeal?
- Has the weight to be afforded to the identified benefits changed?
- Do the revised proposals deliver additional public benefits?

- Are any additional benefits materially different from those already considered by the Inspector, or do they simply provide further evidence in support of previously identified benefits?

Overall Planning Balance

- Do the revised proposals alter the balance between planning benefits and identified harm?
- Does the Committee Report reach the same planning balance as the Inspector?
- If a different conclusion is reached, what evidence justifies that change?
- Does the evidence demonstrate that the balance has changed because the proposal itself has materially changed, or because a different planning judgement has been reached?

Applicant's Response

- Does the Planning Statement explain why the planning balance should now be different?
- Has the applicant systematically addressed the Inspector's reasons for dismissing the appeal?
- Is there robust evidence demonstrating that the cumulative planning balance has changed?
- Has the applicant demonstrated that the Inspector's principal reasons for attributing decisive weight to the identified harm have been materially overcome?

Review of Submitted Evidence

Document 119 – Planning Statement

Relevant to Paragraph 72

The Planning Statement has been reviewed to determine whether the applicant demonstrates that the cumulative amendments to the proposal materially alter the overall planning balance by reducing the identified harm, introducing additional planning benefits or demonstrating that the benefits of the revised proposal now outweigh any remaining adverse effects.

Document 75 – Committee Report

Relevant to Paragraph 72

The Committee Report has been reviewed to establish whether the Local Planning Authority concludes that the overall planning balance has changed and, if so, whether that conclusion is supported by substantive physical changes to the proposal or by a different planning judgement on substantially the same evidence.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 72

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers capable of altering the overall planning balance and to determine whether those revisions materially affect the Inspector's previous assessment of planning harm and public benefits.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 72

The amended Design and Access Statement has been reviewed to identify how the cumulative design amendments are considered to improve the overall quality of the proposal and contribute to the planning balance.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 72

The amended Landscape Masterplan has been reviewed to determine whether revisions to the landscape framework materially reduce the harm previously identified by the Inspector and thereby influence the overall planning balance.

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 72

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the cumulative amendments materially reduce the landscape and visual harm previously identified by the Inspector and whether the submitted evidence demonstrates that the overall planning balance has changed. Particular consideration has been given to whether the revised visual evidence substantiates the applicant's conclusions regarding the remaining degree of planning harm.

Documents 50/55 – Amended Proposed Site Layout

Relevant to Paragraph 72

The amended Proposed Site Layout has been reviewed to assess whether revisions to the layout materially influence the overall planning balance by reducing the identified harm to character and appearance.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's overall planning balance no longer applies.

Particular consideration has been given to whether the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment (including the verified photomontages and visualisations), Design and Access Statement, Planning Statement, Committee Report and Explanation of Key Changes demonstrate that the cumulative amendments materially reduce the identified planning harm, introduce additional planning benefits or otherwise alter the balance between harm and benefit relied upon by the Inspector. The review also considers whether the revised application provides objective evidence demonstrating that the proposal's benefits now outweigh any remaining adverse effects.

The assessment is evidence-led and considers the revised layout, landscape proposals, visual evidence and supporting planning documents collectively to determine whether the cumulative amendments materially alter the Inspector's overall planning balance, or whether the revised application continues to rely upon substantially the same proposal, planning benefits and identified harm previously considered at the appeal. Particular consideration has been given to whether any revised planning judgement is supported by substantive physical changes to the proposal rather than by additional supporting evidence or a different interpretation of substantially the same scheme.

Documents Reviewed

Primary Documents

- 119 – Planning Statement
- 75 – Committee Report
- 87 – Explanation of Key Changes

Secondary Documents

- 13/14 – Amended Design and Access Statement
- 24 – Amended Landscape Masterplan
- 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)
- 50/55 – Amended Proposed Site Layout

Comparative Appeal Documents

- 199–201 – Appeal Landscape and Visual Impact Assessment
- 230 – Appeal Landscape Masterplan
- 241/242 – Appeal Proposed Site Layout
- 246 – Appeal Decision
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Evidence-based Answer

Have the Inspector's findings on character and appearance been overcome?

No. The comparative review has not identified objective evidence demonstrating that the cumulative amendments materially overcome the Inspector's findings regarding character and appearance.

Does the revised proposal still result in unacceptable visual effects?

The revised application demonstrates refinements to the layout, landscape strategy and supporting visual evidence. However, no objective evidence has been identified demonstrating that the visual effects previously identified by the Inspector have been materially reduced to the extent that her conclusions no longer apply.

Have the layout, landscape strategy and engineering works been sufficiently improved?

The revised proposal includes refinements to the layout, landscape strategy and engineering works. However, the comparative review has not identified objective evidence demonstrating that these cumulative amendments materially alter the Inspector's overall assessment of planning harm.

Have any new planning benefits arisen since the appeal?

The revised application has been reviewed to identify any additional planning benefits. No objective evidence has been identified demonstrating the introduction of material public benefits beyond those already considered by the Inspector.

Has the weight to be afforded to the identified benefits changed?

No objective evidence has been identified demonstrating that the weight attributed to the principal planning benefits has materially changed since the appeal.

Do the revised proposals deliver additional public benefits?

The revised application seeks to improve aspects of the proposal through amendments to the layout and landscape strategy. However, the comparative review has not identified objective evidence demonstrating that these revisions introduce materially different public benefits.

Are any additional benefits materially different from those already considered by the Inspector?

No. The comparative review has not identified objective evidence demonstrating that any additional benefits materially differ from those already considered within the appeal decision.

Research Question

Evidence-based Answer

Do the revised proposals alter the balance between planning benefits and identified harm?

No. The comparative review has not identified objective evidence demonstrating that the cumulative amendments materially alter the balance between planning benefits and the identified harm.

Does the Committee Report reach the same planning balance as the Inspector?

The Committee Report has been reviewed as part of this comparative assessment. Where it reaches a different planning balance, the assessment considers whether that conclusion is supported by substantive physical changes to the proposal.

If a different conclusion is reached, what evidence justifies that change?

The Committee Report relies upon the amended proposal and updated supporting evidence. However, the comparative review has not identified objective evidence demonstrating that these amendments materially alter the factual findings underpinning the Inspector's planning balance.

Have the applicant's amendments materially altered the planning assessment?

No. Whilst the revised application provides refinements to the proposal and additional supporting documentation, the comparative review has not identified objective evidence demonstrating that the cumulative amendments materially alter the Inspector's overall planning assessment.

Does the evidence demonstrate that the balance has changed because the proposal itself has materially changed, or because a different planning judgement has been reached?

The comparative review has not identified objective evidence demonstrating that the proposal has materially changed in a manner capable of altering the Inspector's planning balance. Any alternative conclusion would therefore depend upon a different planning judgement rather than materially different factual circumstances.

Does the Planning Statement explain why the planning balance should now be different?

Yes. The Planning Statement explains why the applicant considers the planning balance should now favour approval. However, no objective evidence has been identified demonstrating that the factual basis underpinning the Inspector's earlier planning balance has been materially altered.

Research Question

Has the applicant systematically addressed the Inspector's reasons for dismissing the appeal?

Is there robust evidence demonstrating that the cumulative planning balance has changed?

Has the applicant demonstrated that the Inspector's principal reasons for attributing decisive weight to the identified harm have been materially overcome?

Evidence-based Answer

The applicant has sought to respond to the Inspector's findings through revisions to the proposal and supporting documentation. However, the comparative review has not identified objective evidence demonstrating that the principal reasons for dismissal have been materially overcome.

No. The comparative review has not identified objective evidence demonstrating that the cumulative planning balance has materially changed.

No. The comparative review has not identified objective evidence demonstrating that the principal harms identified by the Inspector have been materially reduced to the extent that they would no longer carry decisive weight within the overall planning balance.

Principal Question

Has the applicant demonstrated, through substantive amendments to the proposal and robust supporting evidence, that the overall planning balance has materially changed such that the benefits now outweigh any remaining harm?

Evidence-based Answer

The revised application continues to address the overall planning balance through the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Design and Access Statement, Planning Statement, Committee Report and supporting technical evidence. The applicant concludes that the cumulative amendments to the proposal reduce the previously identified harm whilst retaining the planning benefits associated with the development, such that the overall planning balance should now favour approval.

The Planning Statement and supporting documents explain how the revised layout, landscape framework, engineering proposals and visual evidence are intended to improve the quality of the development and reduce its impact upon the character and appearance of the area. The applicant also relies upon the planning benefits previously identified, together with the cumulative effect of the amendments, to demonstrate that the revised proposal should now be regarded more favourably in the planning balance.

However, the Inspector's conclusion in this paragraph was dependent upon her earlier factual findings regarding character and appearance. She accepted that the proposal delivered significant planning benefits but concluded that the harm to the character and appearance of the area remained decisive because it had not been materially overcome. Comparison of the amended Proposed Site Layout, Landscape Masterplan, Landscape and Visual Impact Assessment, Committee Report and supporting technical evidence has not identified objective evidence demonstrating that the cumulative amendments materially alter those underlying factual findings. Nor has the comparative review identified additional material public benefits beyond those already considered by the Inspector that would materially alter the balance between planning benefits and identified harm.

The revised application therefore provides additional supporting evidence but does not demonstrate that the cumulative planning balance has materially changed from that considered within the appeal decision.

Evidence-based Conclusion

Paragraph 72 represents the Inspector's overall planning balance. Having weighed the identified planning benefits against the harm arising from the proposal, she concluded that the adverse effects on the character and appearance of the area remained determinative and were not outweighed by the individual or cumulative benefits of the development.

The revised application seeks to respond through refinements to the layout, landscape framework, engineering proposals and supporting planning evidence. These documents demonstrate that the applicant has sought to reduce the identified harm whilst continuing to rely upon the planning benefits associated with the proposal.

However, the comparative review has not identified objective evidence demonstrating that the cumulative physical changes materially alter the factual findings that underpinned the Inspector's planning balance. Nor has evidence been identified demonstrating that additional material public benefits have arisen which would justify attributing greater weight to the benefits of the proposal than was afforded by the Inspector. Accordingly, the evidence does not demonstrate that the overall planning balance has materially changed or that the identified benefits now outweigh the remaining harm.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application includes refinements to the proposal together with additional supporting evidence, no objective evidence has been identified demonstrating that the cumulative physical changes materially reduce the identified harm or introduce additional material public benefits capable of altering the Inspector's overall planning balance.

The Inspector's conclusion in Paragraph 72 was founded upon the balance between the identified planning benefits and the significant harm to the character and appearance of the area. The comparative review has not identified objective evidence demonstrating that either side of that balance has materially changed. Accordingly, the evidence does not demonstrate that the Inspector's overall planning balance no longer applies, and this matter is therefore considered not addressed.

Paragraph 73

Inspector's Point

73. The proposal is in conflict with the development plan, when read as a whole. Material considerations have not been shown to indicate that a decision should be taken otherwise than in accordance with it.

Summary

The Inspector concludes that the proposal conflicts with the Development Plan when considered as a whole. She further concludes that the material considerations in favour of the proposal are insufficient to justify a decision contrary to the Development Plan.

Initial Thoughts

- This is the Inspector's overall planning conclusion.
- The conclusion follows directly from the planning balance undertaken in the preceding paragraphs.
- The Inspector's conclusion is consequential rather than independent. If the proposal continues to conflict with the Development Plan and the planning balance remains unchanged, do material considerations now justify reaching a different decision?
- Has the applicant demonstrated that the revised proposal now complies with the Development Plan when read as a whole?
- Have the material considerations changed since the appeal decision?
- Have any changes to policy, evidence or the proposal materially altered the weight to be afforded to those material considerations?
- Have the amendments to the proposal overcome the Inspector's reasons for finding conflict with the Development Plan?

- Does the revised application now provide sufficient material considerations to justify a different planning conclusion?
- This paragraph should be revisited once the review of all previous evidence has been completed, as the final conclusion depends upon whether the Inspector's earlier findings have genuinely been overcome.

Additional Research Questions

Development Plan Compliance

- Does the revised proposal now comply with the Development Plan when read as a whole?
- Have any relevant Development Plan policies changed since the appeal decision?
- Does the Committee Report conclude that the proposal now accords with the Development Plan?
- If a different conclusion is reached, is it supported by substantive physical changes to the proposal or by a different planning judgement on substantially the same evidence?

Material Considerations

- Have any new material considerations arisen since the appeal?
- Have changes to national policy affected the planning balance?
- Has the applicant identified any new benefits or evidence that were not before the Inspector?
- Do any new material considerations materially outweigh the Inspector's findings regarding conflict with the Development Plan?

Overall Assessment

- Have the Inspector's principal reasons for dismissing the appeal been overcome?
- Does the cumulative evidence support a different planning conclusion?
- If a different conclusion is reached, what evidence justifies departing from the Inspector's findings?

- Does the cumulative evidence demonstrate that the Inspector's overall planning judgement has been displaced by materially changed circumstances?

General Observation

Paragraph 73 represents the Inspector's overall planning conclusion. Drawing together the findings on Development Plan compliance and the overall planning balance, she concluded that the proposal conflicted with the Development Plan when read as a whole and that the material considerations advanced in support of the proposal were insufficient to justify a decision other than in accordance with the Development Plan. This conclusion was the culmination of the Inspector's assessment rather than a separate planning issue in its own right.

Importantly, the Inspector's conclusion did not arise from a single policy conflict or isolated design concern. Rather, it reflected her overall assessment that the identified harm to the character and appearance of the area remained decisive, that the proposal conflicted with the Development Plan, and that the planning benefits and other material considerations were insufficient to outweigh that conflict. The revised application should therefore be assessed to determine whether the cumulative amendments to the proposal, any changes to the policy framework and any new material considerations materially alter that overall planning judgement.

Particular consideration should be given to whether the Planning Statement, Committee Report, Explanation of Key Changes and supporting technical evidence collectively demonstrate that the revised proposal now accords with the Development Plan when read as a whole or that materially different circumstances exist which justify departing from it. The assessment should also consider whether any revised planning judgement is supported by substantive physical changes to the proposal or by additional material considerations not previously available to the Inspector.

The assessment will therefore consider whether the revised application provides substantive physical changes, new material considerations and robust supporting evidence capable of demonstrating that the Inspector's overall planning conclusion no longer applies, or whether the revised proposals continue to rely upon substantially the same development, planning benefits and factual circumstances previously considered at the appeal.

Review of Submitted Evidence

Document 119 – Planning Statement

Relevant to Paragraph 73

The Planning Statement has been reviewed to determine whether the applicant demonstrates that the revised proposal now accords with the Development Plan when read as a whole or, alternatively, whether new or materially different considerations justify reaching a different planning conclusion from that reached by the Inspector.

Document 75 – Committee Report

Relevant to Paragraph 73

The Committee Report has been reviewed to establish whether the Local Planning Authority concludes that the revised proposal accords with the Development Plan as a whole and, if so, whether that conclusion is supported by substantive physical changes to the proposal, new material considerations or a different planning judgement on substantially the same evidence.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 73

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers capable of altering the overall planning conclusion and to determine whether those revisions materially affect the Inspector's findings regarding Development Plan compliance and the planning balance.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 73

The amended Design and Access Statement has been reviewed to identify how the cumulative design amendments are considered to improve the proposal and contribute to the applicant's case that the revised scheme should now be regarded as acceptable when assessed against the Development Plan as a whole.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 73

The amended Landscape Masterplan has been reviewed to determine whether revisions to the landscape framework materially reduce the harm previously identified by the Inspector and thereby influence the overall planning conclusion.

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 73

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the cumulative amendments materially reduce the landscape and visual effects previously identified by the Inspector and whether the submitted evidence demonstrates that the overall planning conclusion should now differ from that reached at the appeal. Particular consideration has been given to whether the revised visual evidence substantiates the applicant's conclusions regarding the remaining degree of planning harm.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's overall planning conclusion no longer applies.

Particular consideration has been given to whether the Planning Statement, Committee Report, Explanation of Key Changes, Design and Access Statement, Landscape Masterplan and Landscape and Visual Impact Assessment (including the verified photomontages and visualisations) demonstrate that the cumulative amendments materially alter the proposal's compliance with the Development Plan as a whole or introduce new material considerations sufficient to justify a different planning conclusion. The review also considers whether the revised application provides objective evidence demonstrating that the proposal should now be determined otherwise than in accordance with the Development Plan.

The assessment is evidence-led and considers the revised proposal, supporting technical evidence and planning submissions collectively to determine whether the cumulative amendments materially alter the Inspector's overall planning conclusion, or whether the revised application continues to rely upon substantially the same proposal, planning benefits and factual circumstances previously considered at the appeal. Particular consideration has been given to whether any revised planning judgement is supported by substantive physical changes to the proposal or by new material considerations capable of displacing the Inspector's earlier conclusions.

Documents Reviewed

Primary Documents

- 119 – Planning Statement
- 75 – Committee Report
- 87 – Explanation of Key Changes

Secondary Documents

- 13/14 – Amended Design and Access Statement
- 24 – Amended Landscape Masterplan
- 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Comparative Appeal Documents

- 199–201 – Appeal Landscape and Visual Impact Assessment
- 230 – Appeal Landscape Masterplan
- 241/242 – Appeal Proposed Site Layout
- 246 – Appeal Decision
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question	Evidence-based Answer
Does the revised proposal now comply with the Development Plan when read as a whole?	Subject to confirmation that the relevant Development Plan policies remain materially unchanged, the comparative review has not identified objective evidence demonstrating that the revised proposal now accords with the Development Plan as a whole.
Have any relevant Development Plan policies changed since the appeal decision?	No objective evidence has been identified within the submitted application documents demonstrating that any changes to the Development Plan materially affect the Inspector's conclusions. <i>(To be confirmed during final policy verification.)</i>
Does the Committee Report conclude that the proposal now accords with the Development Plan?	The Committee Report has been reviewed as part of this comparative assessment. Where it concludes that the revised proposal is acceptable, the assessment considers whether that conclusion is supported by substantive physical changes to the proposal or by materially different planning circumstances.
If a different conclusion is reached, is it supported by substantive physical changes to the proposal or by a different planning judgement on substantially the same evidence?	The comparative review has not identified objective evidence demonstrating that the proposal has been materially altered in a manner capable of displacing the Inspector's principal findings. Any alternative conclusion would therefore depend upon a different planning judgement rather than materially different factual circumstances.
Have any new material considerations arisen since the appeal?	The revised application has been reviewed to identify any additional material considerations. No objective evidence has been identified demonstrating the emergence of materially different considerations beyond those available to the Inspector.
Have changes to national policy affected the planning balance?	Subject to final verification of the current National Planning Policy Framework, no objective evidence has been identified demonstrating that changes to national policy materially alter the planning balance reached by the Inspector.
Has the applicant identified any new benefits or evidence that were not before the Inspector?	The revised application includes updated supporting documentation and additional explanation of the proposal. However, the comparative review has not identified objective evidence

Research Question

Do any new material considerations materially outweigh the Inspector's findings regarding conflict with the Development Plan?

Have the Inspector's principal reasons for dismissing the appeal been overcome?

Does the cumulative evidence support a different planning conclusion?

If a different conclusion is reached, what evidence justifies departing from the Inspector's findings?

Does the cumulative evidence demonstrate that the Inspector's overall planning judgement has been displaced by materially changed circumstances?

Evidence-based Answer

demonstrating the introduction of materially different planning benefits capable of altering the Inspector's overall conclusions.

No. The comparative review has not identified objective evidence demonstrating that any new material considerations outweigh the Inspector's findings regarding conflict with the Development Plan.

No. The comparative review has not identified objective evidence demonstrating that the cumulative amendments materially overcome the Inspector's principal findings regarding character and appearance, Development Plan conflict and the overall planning balance.

No. Whilst the revised application provides refinements to the proposal and additional supporting evidence, the comparative review has not identified objective evidence demonstrating that the cumulative evidence materially alters the Inspector's overall planning judgement.

The Committee Report relies upon the amended proposal and updated supporting evidence. However, the comparative review has not identified objective evidence demonstrating that these amendments materially alter the factual findings underpinning the Inspector's overall planning conclusion.

No. The comparative review has not identified objective evidence demonstrating that materially changed circumstances exist which would displace the Inspector's overall planning judgement or justify determining the application otherwise than in accordance with the Development Plan.

Principal Question

Has the applicant demonstrated, through substantive amendments to the proposal, new material considerations and robust supporting evidence, that the revised proposal now accords with the Development Plan as a whole, or that material considerations justify reaching a different conclusion from that reached by the Inspector?

Evidence-based Answer

The revised application continues to address the Inspector's overall planning conclusions through the Planning Statement, Committee Report, Explanation of Key Changes, Design and Access Statement, Landscape Masterplan, Landscape and Visual Impact Assessment and supporting technical evidence. The applicant concludes that the cumulative amendments to the proposal, together with the updated supporting information, demonstrate that the proposal should now be regarded as acceptable when assessed against the Development Plan as a whole.

The Planning Statement and Committee Report explain why the applicant and Local Planning Authority consider that the revised proposal should now be determined differently from the appeal proposal. The applicant relies upon amendments to the layout, landscape framework, engineering proposals and supporting evidence to demonstrate that the previous planning concerns have been addressed and that the proposal should now be approved.

However, the Inspector's conclusion in this paragraph followed directly from her earlier findings regarding Development Plan conflict and the overall planning balance. She concluded that the proposal conflicted with the Development Plan when read as a whole and that the material considerations advanced in support of the proposal were insufficient to justify a decision otherwise than in accordance with it. Comparison of the revised application documents with the appeal scheme has not identified objective evidence demonstrating that the cumulative amendments materially alter those underlying factual findings. Nor has the comparative review identified materially different planning circumstances or additional material considerations capable of displacing the Inspector's overall planning judgement.

The revised application therefore provides additional supporting evidence but does not demonstrate that the proposal now accords with the Development Plan as a whole or that materially different considerations justify reaching a different planning conclusion.

Evidence-based Conclusion

Paragraph 73 represents the Inspector's overall planning conclusion. Drawing together her findings on Development Plan compliance and the planning balance, she concluded that the proposal conflicted with the Development Plan when read as a whole and that the material considerations in favour of the development were insufficient to justify departing from it.

The revised application seeks to respond through refinements to the proposal and additional supporting planning evidence. These documents demonstrate that the applicant has sought to address the Inspector's concerns and provide a more comprehensive justification for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the cumulative physical changes materially alter the factual findings that underpinned the Inspector's overall planning conclusion. Nor has evidence been identified demonstrating that materially different planning circumstances or additional material considerations have arisen which would justify determining the application otherwise than in accordance with the Development Plan. Accordingly, the evidence does not demonstrate that the Inspector's overall planning conclusion no longer applies.

Outcome ✗ Not Addressed

Reason: Whilst it is recognised that the revised application includes refinements to the proposal together with additional supporting planning evidence, no objective evidence has been identified demonstrating that the cumulative physical changes materially alter the factual findings that led the Inspector to conclude that the proposal conflicted with the Development Plan when read as a whole.

The Inspector's conclusion in Paragraph 73 was the culmination of her findings on character and appearance, Development Plan compliance and the overall planning balance. The comparative review has not identified objective evidence demonstrating that those underlying findings have been materially displaced or that new material considerations justify reaching a different planning conclusion. Accordingly, this matter is considered not addressed.

Paragraph 74

Inspector's Point

74. Therefore, for the reasons given above the appeal should be dismissed.

Summary

Having considered all of the evidence, the Inspector concludes that the appeal should be dismissed.

Initial Thoughts

- This is the Inspector's formal decision.
- The conclusion follows directly from the findings reached throughout the decision.

- The Inspector's decision is entirely dependent upon the preceding reasoning. If the principal findings regarding character and appearance, Development Plan conflict and the planning balance remain materially unchanged, does the evidence support any different outcome?
- Has the applicant demonstrated that the revised proposal has overcome the Inspector's reasons for dismissing the appeal?
- Does the evidence submitted with the revised application justify a different conclusion?
- This paragraph should be revisited only after the review of all preceding evidence has been completed, as the outcome depends entirely upon whether the Inspector's findings have been satisfactorily addressed.

Additional Research Questions

Overall Assessment

- Have the Inspector's reasons for dismissing the appeal been overcome?
- Does the revised evidence justify a different planning conclusion?
- Does the Committee Report explain why a different recommendation has been reached (if applicable)?
- If a different recommendation has been reached, is it supported by substantive physical changes to the proposal or by a different planning judgement on substantially the same evidence?

Overall Planning Balance

- Does the revised proposal alter the overall planning balance?
- Do the cumulative amendments materially reduce or remove the identified harm?
- Are there any new material considerations which were not before the Inspector?
- Does the cumulative evidence demonstrate that the Inspector's overall reasons for dismissing the appeal have been materially displaced?

General Observation

Paragraph 74 records the Inspector's formal decision to dismiss the appeal. It does not introduce any new planning issue or independent assessment but instead represents the logical consequence of all of the preceding findings relating to character and appearance, Development Plan compliance and the overall planning balance. The decision to dismiss the appeal therefore stands or falls entirely upon whether those earlier conclusions remain valid.

The revised application should therefore be assessed to determine whether the cumulative amendments to the proposal, together with any new evidence or material considerations, materially alter the factual findings that underpinned the Inspector's decision. Particular consideration should be given to whether the Planning Statement, Committee Report, Explanation of Key Changes and supporting technical evidence collectively demonstrate that the principal reasons for dismissal have been overcome rather than simply providing additional justification for substantially the same proposal.

The assessment will therefore consider whether the revised application provides substantive physical changes, materially different planning circumstances and robust supporting evidence capable of demonstrating that the Inspector's reasons for dismissing the appeal no longer apply, or whether the revised proposals continue to rely upon substantially the same development, planning benefits and factual circumstances previously considered at the appeal.

Review of Submitted Evidence

Document 119 – Planning Statement

Relevant to Paragraph 74

The Planning Statement has been reviewed to determine whether the applicant demonstrates that the cumulative amendments to the proposal materially overcome the Inspector's reasons for dismissing the appeal and whether the revised proposal should now be regarded as acceptable in planning terms.

Document 75 – Committee Report

Relevant to Paragraph 74

The Committee Report has been reviewed to establish whether the Local Planning Authority concludes that the revised proposal should now be approved and, if so, whether that conclusion is supported by substantive physical changes to the proposal, materially different planning circumstances or a different planning judgement on substantially the same evidence.

Document 87 – Explanation of Key Changes

Relevant to Paragraph 74

The Explanation of Key Changes has been reviewed to identify those amendments the applicant considers capable of overcoming the Inspector's reasons for dismissing the appeal and to determine whether those revisions materially affect the Inspector's overall conclusions.

Documents 13/14 – Amended Design and Access Statement

Relevant to Paragraph 74

The amended Design and Access Statement has been reviewed to identify how the cumulative design amendments are considered to improve the proposal and contribute to the applicant's case that the revised scheme should now be regarded as acceptable.

Document 24 – Amended Landscape Masterplan

Relevant to Paragraph 74

The amended Landscape Masterplan has been reviewed to determine whether revisions to the landscape framework materially reduce the harm previously identified by the Inspector and thereby influence the overall planning outcome.

Documents 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Relevant to Paragraph 74

The amended Landscape and Visual Impact Assessment, including the verified photomontages and visualisations contained within Appendix C/D, has been reviewed to determine whether the cumulative amendments materially reduce the landscape and visual effects previously identified by the Inspector and whether the submitted evidence demonstrates that the reasons for dismissing the appeal no longer apply. Particular consideration has been given to whether the revised visual evidence substantiates the applicant's conclusions regarding the remaining degree of planning harm.

Scope of Document Review

The following documents have been reviewed to determine whether the revised application provides substantive evidence that the Inspector's reasons for dismissing the appeal no longer apply.

Particular consideration has been given to whether the Planning Statement, Committee Report, Explanation of Key Changes, Design and Access Statement, Landscape Masterplan and Landscape and Visual Impact Assessment (including the verified photomontages and visualisations) demonstrate that the cumulative amendments materially alter the factual findings that underpinned the Inspector's decision. The review also considers whether the revised application provides objective evidence demonstrating that the proposal should now be approved following substantive amendments to the scheme.

The assessment is evidence-led and considers the revised proposal, supporting technical evidence and planning submissions collectively to determine whether the cumulative amendments materially alter the Inspector's overall conclusions, or whether the revised application continues to rely upon substantially the same proposal, planning benefits and factual circumstances previously considered at the appeal. Particular consideration has been given to whether any revised planning judgement is supported by substantive physical changes to the proposal or by materially different planning circumstances capable of justifying a different outcome.

Documents Reviewed

Primary Documents

- 119 – Planning Statement
- 75 – Committee Report
- 87 – Explanation of Key Changes

Secondary Documents

- 13/14 – Amended Design and Access Statement
- 24 – Amended Landscape Masterplan
- 26–28 – Amended Landscape and Visual Impact Assessment (including Appendix C/D – Verified Photomontages)

Comparative Appeal Documents

- 199–201 – Appeal Landscape and Visual Impact Assessment
- 230 – Appeal Landscape Masterplan
- 241/242 – Appeal Proposed Site Layout

- 246 – Appeal Decision
- 250 – Appeal Statement of Case – Design
- 251 – Appeal Statement of Case – Landscape

Assessment against Research Questions

Research Question

Have the Inspector's reasons for dismissing the appeal been overcome?

Does the revised evidence justify a different planning conclusion?

Does the Committee Report explain why a different recommendation has been reached (if applicable)?

If a different recommendation has been reached, is it supported by substantive physical changes to the proposal or by a different planning judgement on substantially the same evidence?

Does the revised proposal alter the overall planning balance?

Evidence-based Answer

No. The comparative review has not identified objective evidence demonstrating that the cumulative amendments materially overcome the Inspector's principal findings regarding character and appearance, Development Plan conflict or the overall planning balance.

The revised application provides additional supporting documentation and refinements to the proposal. However, the comparative review has not identified objective evidence demonstrating that these cumulative amendments materially alter the factual findings underpinning the Inspector's decision.

The Committee Report has been reviewed as part of this comparative assessment. Where it reaches a different recommendation, the assessment considers whether that recommendation is supported by substantive physical changes to the proposal or by materially different planning circumstances.

The comparative review has not identified objective evidence demonstrating that the proposal has been materially altered in a manner capable of displacing the Inspector's principal findings. Any alternative recommendation would therefore depend upon a different planning judgement rather than materially different factual circumstances.

No. The comparative review has not identified objective evidence demonstrating that the cumulative amendments materially alter the balance between the identified planning benefits and the identified harm.

Research Question

Do the cumulative amendments materially reduce or remove the identified harm?

Are there any new material considerations which were not before the Inspector?

Does the cumulative evidence demonstrate that the Inspector's overall reasons for dismissing the appeal have been materially displaced?

Evidence-based Answer

No. Whilst refinements have been made to the proposal, no objective evidence has been identified demonstrating that the cumulative amendments materially reduce or remove the principal harms identified by the Inspector.

No objective evidence has been identified demonstrating the emergence of materially different considerations capable of altering the Inspector's overall conclusions.

No. The comparative review has not identified objective evidence demonstrating that the Inspector's overall reasons for dismissing the appeal have been materially displaced by substantive amendments to the proposal or by materially different planning circumstances.

Principal Question

Has the applicant demonstrated, through substantive amendments to the proposal, new material considerations and robust supporting evidence, that the Inspector's reasons for dismissing the appeal no longer apply?

Evidence-based Answer

The revised application continues to address the Inspector's reasons for dismissing the appeal through the Planning Statement, Committee Report, Explanation of Key Changes, Design and Access Statement, Landscape Masterplan, Landscape and Visual Impact Assessment and supporting technical evidence. The applicant concludes that the cumulative amendments to the proposal and the updated supporting information demonstrate that the revised scheme should now be approved. The applicant relies upon refinements to the layout, landscape framework, engineering proposals and supporting evidence to demonstrate that the concerns identified within the appeal decision have been addressed. The Committee Report similarly explains why the Local Planning Authority considers the revised proposal should now be determined differently.

However, the Inspector's decision to dismiss the appeal was the direct consequence of her earlier findings regarding character and appearance, Development Plan conflict and the overall planning balance. Comparison of the revised application documents with the appeal scheme has not identified objective evidence demonstrating that the cumulative amendments materially alter those underlying factual findings. Nor has the comparative review identified materially different planning circumstances or additional material considerations capable of displacing the Inspector's overall reasoning. The revised application therefore provides additional supporting evidence but does not demonstrate that the reasons for dismissing the appeal no longer apply.

Evidence-based Conclusion

Paragraph 74 records the Inspector's formal decision to dismiss the appeal. That decision was not based upon any new or separate planning issue but represented the logical outcome of all of the preceding findings within the appeal decision.

The revised application seeks to respond through refinements to the proposal and additional supporting planning evidence. These documents demonstrate that the applicant has sought to address the Inspector's concerns and provide a more comprehensive justification for the revised proposal.

However, the comparative review has not identified objective evidence demonstrating that the cumulative physical changes materially alter the factual findings that underpinned the Inspector's decision. Nor has evidence been identified demonstrating that materially different planning circumstances or additional material considerations have arisen which would justify reaching a different overall outcome. Accordingly, the evidence does not demonstrate that the Inspector's reasons for dismissing the appeal no longer apply.

Outcome **✗** Not Addressed

Reason: Whilst it is recognised that the revised application includes refinements to the proposal together with additional supporting planning evidence, no objective evidence has been identified demonstrating that the cumulative physical changes materially alter the factual findings that led the Inspector to dismiss the appeal.

The Inspector's decision was the culmination of her findings on character and appearance, Development Plan compliance and the overall planning balance. The comparative review has not identified objective evidence demonstrating that those underlying findings have been materially displaced or that materially different planning circumstances justify a different outcome. Accordingly, this matter is considered not addressed.

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