

Client: Hampsthwaite Parish Council

**Outline Planning Application 17/04923/OUTMAJ Land at field  
425731 / 458769 Elton Road, Hampsthwaite – Landscape Objection**

**1.0 INTRODUCTION**

1.1 My name is Nick Leeming I have a BA (Hons) in Landscape Design and a Diploma with Distinction in Landscape Architecture. I am a Chartered Member of the Landscape Institute. I established Leeming Associates, in 1996 in Darlington, Co Durham – a landscape architecture consultancy which is a Registered Practice of the Landscape Institute.

1.2 I have nearly thirty years of experience within private practice. This depth of knowledge includes landscape impact assessment work, master planning, and the design and implementation of a wide variety of hard and soft landscape schemes. I also have experience as an expert witness. Leeming Associates has provided consultancy services to Local Authorities, Architects, Planners, developers and private individuals throughout Northern England.

1.3 In February 2018 Hampsthwaite Parish Council commissioned Leeming Associates to assess an outline planning application for housing off Elton Road.

**2.0 The Site Proposals**

Planning Application ref 17/04923/OUTMAJ Land comprising field at 425731 / 458769 Elton Road Hampsthwaite is for outline planning permission for residential development for up to 82 houses and medical facility (D1) with associated public parking, road infrastructure, drainage, planting and amenity space with access to be considered.

The applicant's documentation submitted in Oct 2017 includes a Design Development: Landscape for two Sites A (HM9) at Elton Lane and Site B adjacent to Church Lane. In January 2018 a revised indicative masterplan for Site A was submitted for a reduced site area of 3.473ha for 72 houses.

This objection refers only to Site A/HM9 for the reduced size application area. An amended Design Development: Landscape report has not been submitted by the Applicant.

### 3.0 The Site Context

Hampsthwaite village lies 8 km north-west of Harrogate in the Lower Nidderdale Valley. The course of the River Nidd lies to the north of the village and passes in close proximity to Saint Thomas a Becket's Church. The boundary of the Nidderdale AONB is approximately 1 km to the west and south-west of the site.

The application site lies in open countryside on the north-west edge of the village. Elton Lane forms the northern boundary to the site with open countryside to the west. The south and east boundaries back onto properties on the High Street and Meadow Close.

### 4.0 **LANDSCAPE DOCUMENTS SUBMITTED BY APPLICANT**

4.1 Harrogate Borough Council (HBC) requires that a Landscape Appraisal is submitted as part of an outline application for major developments such as this in accordance with Core Strategy Policy EQ2 which states that *'the landscape character of the whole of the District will be protected and where appropriate enhanced'*.

4.2 The two main documents submitted by the applicant to address the landscape issues for this outline application are:

- Design Development: Landscape Oct 2017 submitted as a Landscape Appraisal
- The Design and Access Statement Oct 2017 and Addendum Jan 2018

The applicant's document titled 'Design Development: Landscape' does not follow industry guidelines for a Landscape Appraisal / Assessment and fails to provide the level of information required for this application to assess potential visual and character impacts. The introduction states that the report *'documents the design approach and development for the two proposed residential developments...along with constraints and opportunities of the local areas'* (pg 5) but does not mention assessment of impacts on character and visual amenity.

The Design and Access Statement submitted mentions Conservation in Section 14 however there is no methodology or assessment to justify the conclusion that there will be *'negligible impact on listed buildings'* (pg17) as a result of the proposed development.

Neither of these documents reflect the revised site boundary although a revised indicative masterplan was submitted in January 2018. Therefore some statements on the Development Layout Strategy (Design Development: Landscape pg 45) have been compromised, for example the portion of 'flexible public open space' and landscape buffer along the north-west boundary at the interface with the open countryside.

4.3 Whilst the proposed development may fall outside the legal requirement of a full Landscape and Visual Impact Assessment (LVIA) under EU Directive, a Landscape Appraisal should use the same professional guidelines for LVIA, applied appropriately to the specific site, to enable informed assessment and rational conclusions to be drawn about potential impacts of new development.

4.4 The documents submitted fail to provide sufficient information to enable an informed assessment of the baseline situation and fail to evaluate the potential impacts from the proposed development. The applicant's submitted Design Development: Landscape:

- fails to address the purpose of a Landscape Appraisal. The stated aim of the applicant's report is predominantly about the design and development of the site. The Landscape Appraisal should identify the baseline situation against which potential impacts of the proposed development can be gauged so that these outcomes can then inform any design development. This has not been achieved with these reports.
- fails to provide professional guidelines for the document or a methodology of how the study area was determined. The 2km radius does not reflect the local topography or relationship of Hampsthwaite in the Lower Nidderdale Valley.
- fails to include an impact assessment on the character and visual amenity of the area affected by the development;
- states that it identifies existing constraints and opportunities of the local area but offers no assessment of these as baseline data or assessment of how these will change and the potential visual or landscape character impacts that may arise from the proposed development.

5.0 The key issues relating to visual and landscape character in relation to the proposed development of Site A, which this objection refers to, are:

- a) Significant negative impact on local landscape character and heritage assets;
- b) Significant negative impact on visual amenity locally and in the wider area;
- c) Contravention and failure to support current Landscape Planning Policy.

## 6.0 **SUMMARY OF IMPACT OF THE PROPOSED DEVELOPMENT ON LOCAL LANDSCAPE CHARACTER AND HERITAGE ASSETS**

### 6.1 Landscape Character

6.1.1 The applicant's Design Development: Landscape and Design and Access Statement fails to give an adequate overview of the landscape character of the area, the conservation and heritage assets. Furthermore, it fails to assess the impact of the development with reference to the Harrogate District Landscape Character Appraisal (HDLCA) 2004 and The Harrogate Borough Council Conservation Area Character Appraisal (HCACA) 2009. (Note: The following bold text has been highlighted by Leeming Associates).

6.1.2 The applicant's Design Development: Landscape Section 2.7 makes reference to some of the key characteristics of Character Area 24 described in the Harrogate District Landscape Character Assessment (HDLCA). The HDLCA specifically mentions Hampsthwaite as the only main settlement within Area 24 that is a **designated village Conservation Area**. The applicant gives no further assessment of the local area however the HDLCA notes that it is a '*broad valley with a flat floor that channels extensive views*' and '*is an important gateway ... for both Harrogate and Nidderdale*'. The assessment also notes that '**this area's ability to accept change without harm to its character is limited, especially where development would be visible....**' (Ref HDLCA).

## 6.2 Hampsthwaite Village character in the wider landscape

6.2.1 The Harrogate District Conservation Area Character Appraisal (HCACA) is a key document that the applicant has failed to refer to, and this document is important to understand the unique aesthetic and 'sense of place'. The HCACA states that:

*'The village is surrounded by a green envelope of open fields, which are important in ensuring that the settlement nestles unobtrusively into the landscape. The capacity of this settlement to absorb new development is limited if the pastoral landscape is to be retained. For example should land around Garthside Cottage or the field opposite be developed, vital elements of Hampsthwaite's character would be lost.'* (HCACA pg 13 / 7.10).

6.2.2 Garthside Cottage is located directly opposite the gate into the site from Elton Lane. The landscape context described in the HCACA can be seen very clearly from views from Clint Bank Lane looking across the Nidd valley towards Hampsthwaite. The applicant fails to acknowledge the extensive views of the site from Clint and Clapham Green.

6.2.3 Building on the open field in this location on the edge of the village significantly alters the character of the village in this area, not only from nearby views along Elton Lane, the Conservation Area (CA), listed buildings and the Nidderdale Long Distance Footpath, but from extensive views across the valley for example from Clint. The negative impact on the character of the village setting from the north will be significant.

## 6.4 Hampsthwaite Conservation Area

6.4.1 The HCACA identifies the historic heart of the village centred on the northern corner around the village green, the junction with Elton Lane and Saint Thomas a Becket's Church in the immediate vicinity of the site (HCACA pg 18 / 7.12). The cluster of historic buildings, listed and un-listed in this area are all within the village Conservation Area boundary. Furthermore, the HCACA acknowledges the importance of the setting of these listed buildings and the relationship of the oldest part of the village with the surrounding countryside.

6.4.2 It is significant that this is the only section of the Conservation Area (CA) boundary that remains directly adjacent to open countryside creating a strong visual and physical relationship between the two landscape characters. The rest of the CA boundary on the western edge of the settlement has been compromised by modern development so that the connection with the countryside has been lost. Throughout the rest of the village the CA is contained within the settlement and surrounded by houses or formal public open space and playing fields.

## 6.5 AONB Approach from Hampsthwaite

6.5.1 A key aspect of the negative impact of this proposed development would be the change in character on the approach into the village from the AONB and Birstwith (partly within Nidderdale AONB) approximately 1km west of the site. The CA boundary has been designated to include the setting described in the HCACA as '*a scenic backdrop to the Church, it's unspoilt character provides a strong sense of place and a unique setting for the Hampsthwaite Conservation Area*'. (pg 6)

6.5.2 The CA boundary along the north-east site boundary and Elton Lane follows the historic settlement edge which, in this section, forms a definite and recognisable transition from 'within the village' to open countryside. If this development goes ahead that boundary is significantly blurred as the development forms a block of new buildings impinging on the open rural landscape character immediately outside the village's current limits. Furthermore, the church and open fields, so important to the setting and the historic heart of the village, would no longer be viewed as part of the open countryside.

This change in landscape character is severely detrimental and constitutes a fundamental change to the character of Hampsthwaite, the setting of the CA and significant listed buildings.

## 6.6 Listed Buildings in Hampsthwaite

6.6.1 We strongly disagree with the summary in the Design and Access Statement which states '*Overall the scheme has negligible impact on listed buildings and provides an opportunity to celebrate the existing character of Hampsthwaite village*'. The report fails to mention the setting of the listed buildings and there is no assessment or justification of the potential impact which we consider to be significantly detrimental.

## 6.7 Existing Vegetation and Landscape character

6.7.1 We strongly disagree with the applicant's statement that '*Existing vegetation provides a distinct and clear separation between the listed church and the proposed development site*' (Section 3.2 pg16). This statement is not supported by any justification and fails to mention the CA.

The land between the church and the proposed site is within the designated CA boundary and is vital to the setting of the listed building. The existing vegetation screens the church however there are clear views from the churchyard under the tree canopy to the proposed development, therefore the visual relationship between the listed church, the land within the CA boundary and the open fields of the site is very strong and highly sensitive.

- 6.7.2 The applicant's planting proposals included in the Design and Access Statement (Pg 18 Section 15.3 Landscape Principles) seem to be conflicting. It states that:

Point 1. '*Clusters of trees to retain existing landscape character*' although this is not identified as an existing vegetation character in the vicinity or on the site which is devoid of trees except a few intermittent patches of vegetation along the south-west boundary.

Point 4 describes a '*Landscape buffer between development and Elton Lane to retain open/rural character of existing field*' but also proposes a '*Native trees and shrub planting buffer to filter views into the site*'. This strip will therefore be of limited value to filter views and will have the character of an urban edge verge in front of housing.

In accordance with LVIA guidelines any mitigation planting proposed should form part of the visual impact and character assessment. The landscape buffer proposed will in itself have a significant detrimental impact by introducing planting in this location and changing the existing character of the village setting and approach to the village.

## 7.0 **SUMMARY OF IMPACT OF THE PROPOSED DEVELOPMENT ON VISUAL AMENITY**

- 7.1 The applicant's Design Development: Landscape report Section 4.0 and Design and Access Statement fails to give an adequate assessment of the visual impact of the development due to the following issues.

- 7.1.1 The applicant's report identifies '*likely viewpoints in relation to the proposed development*' (pg28) but completely ignores key views such as the view from Clint Bank Lane, Clapham Green or the Nidderdale Way Long Distance Footpath. Furthermore the report fails to refer to two significant views identified in the HCACA from Elton Lane and Laurel Cottage (Listed) directly into the site. (Ref HCACA Map 4.)

- 7.1.2 The report states that the Zone of Theoretical Visibility (ZTV) '*uses existing topographical information*'...and '*....the location of Public Rights of Way*'.

The applicant's desktop generated ZTV does not reflect the visual envelope in the local area for example properties in Clint and Clapham Green have views of the site but are not within the ZTV. The report is also inconsistent as three of the

viewpoints identified are outside the ZTV as shown on their plan (pg28): viewpoints 1, 3 and 6.

Whilst the ZTV is a theoretical assessment it is designed to be a tool to give meaningful data on which to establish a baseline and inform assessment of the potential impact of the development. Any ZTV should be appropriate to the scale and type of proposals reflecting not only the type of development but the context in which it sits.

The ZTV shown by the applicant misrepresents the visual envelope within which the site can be seen by sensitive receptors and fails to provide meaningful baseline information against which potential visual impact can be assessed.

7.1.3 The report fails to identify any of the sensitive receptors within the ZTV that would have views of the site and fails to provide any kind of assessment of the visual impact the proposed development may have on these receptors.

7.1.4 Whilst the Architectural Analysis of the streetscape and building topography is a useful tool to inform development, it does not help assess the potential impact on visual and landscape character of the development for an outline application.

7.2 The applicant's Design and Access Statement Pg 18 15.3 Landscape points 1 and 13 states that:

*'Proposed vegetation within site landscape to form structures layers, east to west, to provide a visual screen from **potential receptors** further up the River Nidd valley'.*

This statement appears to acknowledge that there are long distance views but the applicant has not identified them or assessed them.

7.3 Our initial visual impact assessment, following a site visit, identifies significant negative visual intrusion from a variety of sensitive receptors including residential properties, public highways and users of Public Rights of Way.

7.3.1 Due to the rising gradient, views from the north, west and south of the site are elevated. The site levels rise to the south-west of the site therefore buildings will be clearly visible in some areas. Any mitigation planting will be of limited effectiveness due to the elevated views.

7.3.2 For example, the view from Clint Bank Lane is a panoramic view of the Hampsthwaite nestled in the Lower Nidderdale valley. The site is clearly visible as a field on the edge of the settlement with the CA area in the foreground. The impact of the development would result in the village's built edge extending into the rural countryside and significantly impacting on the view of the village and church.

Similar negative impact would be experienced from Clapham Green and the Nidderdale Way in close proximity to the site.

## 8.0 SUMMARY OF LANDSCAPE PLANNING POLICY IN RELATION TO THE PROPOSED DEVELOPMENT

The submitted Design Development: Landscape fails to give an understanding of the relevant landscape policies or assess the impact of the development against current landscape planning policy.

### 8.1 The following documents should be considered as part of the Landscape Appraisal for Site A:

#### a) The National Planning Policy Framework March 2012 (NPPF)

- *NPPF Chapter 7: Requiring Good Design*
- *NPPF Chapter 8 Promoting Healthy Communities aims to protect and enhance Public Rights of Way*
- *NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change para 99 supports green infrastructure objectives.*
- *NPPF Chapter 11 Conserving and Enhancing the Natural Environment.*

#### b) Statutory Development Plan Policy Documents: Harrogate Core Strategy (Adopted 2009)

- Policy C1: Inclusive Communities
- Policy EQ1: Reducing risks to the environment
- Policy EQ2 The Natural and built environment and green belt
- Policy SG3 Settlement Growth: Conservation of the countryside, including Green Belt
- Policy SG4 Settlement Growth: Design and Impact

#### c) Statutory Development Plan Policy Documents: Harrogate District Local Plan (2004) - Saved policies.

- Policy C2 Landscape Character
- Policy HD13 Trees and Woodland
- Policy HD1: Statutory List of Buildings of Special Architectural or Historical Interest
- Policy HD3: Control of Development in Conservation Area
- Policy R11 Public Rights of Way

#### d) Statutory Development Plan Policy Documents: Supplementary Planning Documents

- Green Infrastructure (2014)
- Biodiversity Action Plan
- Harrogate Borough Council Landscape Character Assessment 2004
- Heritage Management
- Provision for Open Space

#### e) Other Material Planning Considerations.

- Harrogate Conservation Area Character Appraisal

## 8.2 Objection to the application contravening National Planning Policy Framework.

The proposals are contrary to the following National Planning Policies in relation to the landscape, conservation and environment for development on Site A. (Note: All bold text has been highlighted by Leeming Associates).

### 8.2.1 NPPF Chapter 7 Para 58 guidance requires good design of proposed developments including to:

- *'..add to the **overall quality of the area**, not just for short term but over the lifetime of the development*
- ***establish a strong sense of place***
- ***respond to local character and history**, and reflect the identity of local surroundings and materials,.....'*

### 8.2.2 Para 61 puts importance not only on the '*visual appearance and the architecture of individual buildings*' but highlights the importance of '***the integration of new development into the natural, built and historic environment.***'

### 8.2.3 NPPF Chapter 11 Conserving and Enhancing the Natural Environment highlights the need to '***Protect and enhance valued landscape....*** in particular where there are national historic, conservation and environmental designations in place (Para 115). Para 109 refers specifically to '*great weight to be given to the conservation of landscape and scenic beauty in*' Areas of Outstanding Natural Beauty.

The site lies approximately 1km east of the Nidderdale AONB but no commentary is offered within the application of the visibility of the site from within the AONB, how Hampsthwaite village and the site relates to the AONB or the potential impact on the approach to the AONB.

### 8.2.4 We therefore strongly object on the grounds that the proposed development fails to support NPPF policies in relation to the landscape and historic environment. The development has a significant adverse effect on nationally designated historic assets and in particular or most importantly the development destroys the strong sense of place on arriving at Hampsthwaite and has a significant negative visual impact on the village setting.

## 8.3 Objection to the application contravening and failing to support the following Harrogate Core Strategy Policies.

The proposals do not support the following Core Strategy Policies in relation to the landscape, conservation and environment for development on Site A. (Note: All bold text has been highlighted by Leeming Associates).

- 8.3.1 Policy SG4 Settlement Growth Design and Impact specifically calls on new development to:
- **‘Integrate with, and complementary** to, neighbouring buildings and the **spatial qualities of the local area;**
  - Be **appropriate to the form and character** of the settlement and / or **landscape character;**
  - Protect and enhance **visual, residential and general amenity.’**
- 8.3.2 Policy SG4 links to Policy EQ2 of the Core Strategy which aims to protect *‘the exceptionally high quality natural and built environment’* in the district and particularly mentions Conservation Area Appraisals *‘incorporating measures for the protection and enhancement of their special interests’* which extends to the setting and land immediately adjacent to the CA boundary.
- 8.3.3 We therefore strongly object on the grounds that the proposed application for Site A is contrary to Policy EQ2 and contrary to these aspects of Policy SG4. Any development on Site A will be inappropriate to the form and character of the existing settlement and landscape character, will not integrate or compliment the neighbouring built forms and will have a significant negative impact on the immediate area. Development on Site A will destroy the visual, residential and general amenity and fail to protect and enhance the natural and built environment as required under Policy SG4.

8.4 Objection to the application contravening and failing to support the following Harrogate Local Plan Saved Policies.

The proposals do not support the following Local Plan Saved Policies in relation to the landscape, conservation and environment for development on Site A. (Note: All bold text has been highlighted by Leeming Associates).

- 8.4.1 Harrogate District Local Plan Saved Policy C2 Landscape Character requires development to **‘protect the existing landscape character’**. Supplementary planning guidance in the Harrogate District Landscape Character Assessment is directly linked to this policy. Section 6 of this objection discussed the impact on Landscape Character.

We therefore strongly object due to the significant negative impact of the proposed development on the existing landscape character contrary to Policy C2.

- 8.4.2 Harrogate District Local Plan Saved Policy HD3 Conservation Areas is relevant to the development of Site A as it states that **the setting of Conservation Areas** shall be a material consideration. Policy HD3 states that:

*‘development which has an adverse effect on the character or appearance of a conservation area will not be permitted and this includes ...*

*c) Proposals involving the loss of open space, which contributes to the character of the Conservation Area...’*

and

*'e) Proposals which would have an adverse effect on the historic form and layout of passageways and plots ...*

*Applications for development in or visually affecting Conservation Areas will be expected to contain sufficient information to allow a proper assessment of their impact on the character and appearance of the Conservation Area....."*

8.4.3 The failure of the applicant to assess the impact on the Conservation Area is a significant omission. The significant negative impact of the proposed development on the heritage assets was previously discussed in Section 6. The proposed development strongly contravenes Policy HD3 having a major negative impact on the visual character and setting of the Conservation Area.

8.4.4 Harrogate District Local Plan Saved Policy R11 Public Rights of Way specifically aims to protect the character and recreational and amenity value of existing public rights of way (PRoW).

The applicant's report (Section 3.5) notes that the Nidderdale Way Long Distance Footpath passes to the north and east of the site but there is no reference to PRoW 15.53/2/1 or 15.53/1/1 Medieval Way which emerges onto Elton Lane opposite the site. No assessment is given of the existing character of these footpaths or potential impact of the proposed development.

8.4.5 We object to the significant negative impact on the amenity value of the Nidderdale Way Long Distance footpath and public footpaths due to the change in character and recreational value.

## **9.0 SUMMARY OBJECTION**

9.1 On behalf of Hampsthwaite Parish Council we strongly object to the proposed outline planning application for Site A / HM9 due to key landscape issues as follows:

a) Significant negative impact on local landscape character and heritage assets;

Development on Site A will be significantly detrimental to the character of Hampsthwaite in this area, not only affecting nearby heritage assets, but its place in the wider Lower Nidderdale Valley landscape and on the approach to the Nidderdale AONB.

The proposed change in landscape character, including built forms and planting, constitutes a fundamental change to the character of Hampsthwaite and would have a severely detrimental impact on the setting of the CA and significant listed buildings.

b) Significant negative impact on visual amenity locally and in the wider area;

The applicant fails to provide an assessment of the visual impact the proposed development may have on sensitive receptors within the visual envelope or significant viewpoints.

We assess that the development would have a significant negative visual impact on the village setting from distant views in Clint and Clapham Green and from views in close proximity from the Nidderdale Way Long Distance Footpath, within the CA and from listed buildings with direct views into the site.

- c) Contravention and failure to support current NPPF and Local Landscape Planning Policy.

The proposed development fails to support relevant NPPF policies in relation to the landscape and historic environment. The development will have a significant adverse effect on nationally designated historic assets and in particular it would destroy the strong sense of place when arriving at Hampsthwaite from the west.

The application is contrary to Policies C2, EQ2 and certain aspects of Policy SG4 due to the proposals being inappropriate to the form and character of the existing settlement and landscape character. The proposals would have a significant negative impact on the visual, residential and general amenity in the immediate area and therefore it fails to protect and enhance the natural and built environment.

The application fails to support Policy R11 and has a significant negative impact on the amenity value of the Nidderdale Way Long Distance footpath and local public footpaths.

- 9.2 The application fails to provide sufficient information to enable an informed assessment of the baseline situation and fails to evaluate the potential impacts from the proposed development on visual amenity, landscape character, impact on designated and undesignated historic assets including listed buildings and the Hampsthwaite Conservation Area.

We therefore urge the Council to refuse planning permission for this outline application. If additional and amended information is submitted we request the opportunity to review and comment on it.