

Land at the Old Cottage, Station Road, Lingfield

Landscape and Green Belt Purposes Proof of Evidence

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of LDA Design Consulting

on behalf of

Woolbro Group and Morris Investment

08.07.23

LPA Ref. 2022/685

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This document has been prepared and checked in accordance with ISO 9001:2015.

1.0 Qualifications and Experience

- 1.1.1. My name is Ben Croot. I graduated with a degree in Geography from the University of Sheffield in 2003 and a MSc in Environmental Impact Assessment from Oxford Brooks University in 2008.
- 1.1.2. I am a Chartered Member of the Landscape Institute ('CMLI') with 17 years' experience as a landscape professional including 11 years' at LDA Design Consulting Ltd ('LDA Design') where I am an Associate and member of the senior team in the Oxford office. I am a Design West panel member where I provide independent advice and design review on landscape and green infrastructure for development projects, working with the development sector and decision-makers to shape better places across the South-West of England.
- 1.1.3. My specialist areas of expertise include Landscape Character Assessment ('LCA'), Landscape and Visual Impact Assessment ('LVIA'), Townscape and Visual Impact Assessment ('TVIA') and the landscape planning of development, with a particular emphasis on the planning and design of development in the Green Belt, including residential development and utility scale solar. Examples of my work are included with the Guidelines for Landscape and Visual Impact Assessment (3rd Edition) ('GLVIA3') and I was a contributing author to the Landscape Institute's Technical Information note on Townscape Assessment ('TIN 05/2017').
- 1.1.4. I have visited the Appeal Site and I am familiar with it and its wider landscape context. I have been personally involved with the project from its early genesis and been able to shape the proposals as part of a 'landscape led' design.
- 1.1.5. The evidence which I have prepared and provide for this appeal in this proof is true and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2.0 Introduction

2.1. Scope of Evidence

2.1.1. My evidence has been prepared on behalf of Woolbro Group and Morris

Investment ('the Appellant') against the non-determination of planning application reference 2022/685 for outline planning permission (with all matters reserved apart from access and layout) for a residential development of 99 dwellings (40% affordable) with associated access, formal open space, landscaping, car & cycle parking and refuse. ('the Proposed Development') at land at the Old Cottage, Station Road, Lingfield ('the Appeal Site'). The location of the Appeal Site is shown in **Figure 1**. The Appeal Site is within the jurisdiction of Tandridge District Council (TDC).

2.1.2. My evidence addresses (in part) putative Reason for Refusal (RfR) (1) which states:

"1) The proposed development would constitute inappropriate development in the Green Belt causing significant harm to the openness and visual amenities of the Green Belt. No very special circumstances exist to clearly outweigh the harm by reasons of inappropriateness and other identified harm. As such, the proposal is contrary to the provisions of Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies (2014), and Section 13 of the National Planning Policy Framework 2021 with respect to protection from built development of Green Belts."

2.1.3. My evidence considers the potential harm to the five purposes of Green Belt as defined by paragraph 138 of the National Planning Policy Framework (NPPF) and assessed in the Green Belt Assessment Report [CD1.42] submitted as part of the application. The overall harm to Green Belt openness is a planning judgement (informed by harm to the purposes) and is considered by Mr Evans in his planning proof of evidence.

2.1.4. Following receipt of TDC's Statement of Case (SoC) [CD2.2] my evidence also addresses putative RfR 3 as set out within the SoC, which differs from the original putative RfR 3 set out within the Planning Officer's report [CD2.1] and cited in the decision notice.

2.1.5. Putative RfR 3 in the Planning Officer's report states:

3) "The quantum of development (density), its layout and form will result in a cramped and over developed site and, together with the introduction of significant areas of circulation spaces, will have an urbanising effect on the site and adjoining areas of open countryside which has negative impacts on biodiversity contrary to the provisions of policies CSP18, CSP19 and CSP21 of the Tandridge District Core Strategy (2008) and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies (2014)."

2.1.6. Putative RfR 3 in TDC's SoC states:

3) "The site as open countryside falls largely within the Lingfield Conservation Area and is a valued landscape and the development proposals would fail to contribute to and enhance the natural and local environment as required by paragraph 174 of the NPPF 2021 and would be contrary to policies CSP21 and DP7 of the development plan"

2.1.7. Planning, heritage and urban design matters are considered by Mr Evans, Dr Edis and Mr Deely respectively.

2.1.8. In light of the above, my proof of evidence focusses on the main areas of consideration from a harm to Green Belt purposes and landscape and visual perspective which I consider to be:

- The design evolution of the Proposed Development as part of a 'landscape led' scheme.
- Whether the Appeal Site is a 'valued landscape' under paragraph 174 of the NPPF.

- The potential landscape and visual impacts of the Proposed Development with reference to the Landscape and Visual Impact Assessment (LVIA) [CD1.44] submitted as part of the planning application.
- The potential harm to the five purposes of Green Belt designation with reference to the Green Belt Assessment [CD1.42] submitted as part of the application.

2.2. Structure of this Proof

2.2.1. The remainder of this Proof of Evidence is structured as follows:

- **Section 3:** provides a summary of the background to the appeal including Planning Officer's Report and TDC's and Rule 6 Parties Statement of Case in relevant to Green Belt harm and landscape and visual considerations.
- **Section 4:** provides a summary of policy relevant to Green Belt and landscape and visual considerations.
- **Section 5:** sets out the design evolution of the Proposed Development as part of a landscape-led development.
- **Section 6:** Considers whether the Appeal Site is a 'valued landscape' under paragraph 174 of the NPPF.
- **Section 7:** Summarises the findings of the LVIA and the potential landscape and visual impacts as a result of the Proposed Development.
- **Section 8:** Provides an assessment of the potential harm to the purposes of the Green Belt, with reference to Green Belt studies undertaken by TDC as part of its evidence base for the emerging Local Plan.
- **Section 9:** provides a summary and conclusions.

2.2.2. Supporting Figures and Appendices are included at the end of my proof of evidence.

3.0 Background to the Appeal

3.1. Planning Officer's Report

3.1.1. The below section provides a summary in relation to Green Belt and landscape and visual matters made withing the Planning Officer's Report [CD2.1].

3.1.2. It should be noted that potential impacts to the landscape and visual resource itself are not cited as a reason for refusal within the Officer's report but have been added as RfR (3) within TDC's SoC [CD2.2]. Equally there is no reference at all to the Appeal Site being a 'valued landscape' under the parlance of paragraph 174 of the NPPF within the Officer's report. Despite this shift of position, the methodology and findings of the LVIA are not contested by the Planning Officer nor any local authority officers.

3.1.3. The Planning Officer identifies at paragraph 35 the Proposed Development would be 'inappropriate development' under NPPF guidance and that Very Special Circumstances (VSC) would need to be demonstrated. I do not disagree with this interpretation.

3.1.4. At page 10 of the Planning Officer's report, TDC's Tree Officer formal response is provided:

3.1.5. *"Considering the large population of trees and hedges within the site (75 individual trees, 11 groups of trees, 13 hedge elements) there are very few impacts, and this is of course mainly down to the majority of trees being located on field boundaries, as opposed to throughout the main areas of proposed built form. As this is the case, the opportunity has clearly been taken to consider the tree stock as the assets that they are, and to design around them - as good practice and TDC policy dictates."* [own emphasis]

3.1.6. The Tree Officer adds on page 11:

3.1.7. *“As mentioned above, largely the layout has been designed to avoid conflicts with trees, and to provide significant green spaces within the site, both in terms of larger amenity spaces, and smaller spaces on frontages and verges where amenity planting can be accommodated.”*
 [own emphasis]

3.1.8. The Tree Officer concludes:

3.1.9. *“In conclusion, having considered the submitted arboricultural report and from my observations on site I am satisfied that the proposals accord with TDC policies as they relate to trees and landscaping, subject to further detail being submitted under condition. I therefore raise no objections.” [own emphasis]*

3.1.10. Whilst identifying harm to heritage assets the Heritage Officer notes on page 18 *“There is a small heritage benefit from the provision of public space within the Conservation Area which will allow some limited views of the Church of St Peter’s and St Paul”* [own emphasis] albeit the officer concludes this does not outweigh the heritage harm in their opinion.

3.1.11. As recorded within the Planning Officer’s Report, Surrey County Council Countryside Access officers do not provide an objection to the scheme [CD1.4] and the Planning Officer notes issues raised can be dealt with via conditions/heads of terms (page 24).

3.1.12. Page 30 of the Planning Officer’s report records that *“Green Belt sites from the emerging Local Plan which have been through two regulation 18 consultations and a regulation 19 consultation and have been rigorously assessed via the HELAA and Green Belt assessments”* [own emphasis]. Clearly TDC has developed an evidence base for site allocations and looked closely at potential Green Belt sites for development. As TDC acknowledge within the draft Local Plan, with 94% of the district allocated

within the Green Belt it is inevitable that some Green Belt land will be required to accommodate housing need.

3.1.13. At paragraph 56 the Planning Officer states *“it is considered that the site actively serves at least three of the five purposes”* and that the sites inclusion within the Green Belt boundary is *“strongly justified”*. I return to this in **Section 8.0**.

3.1.14. The Planning Officer adds at paragraph 64 *“There would also be an impact on the wider landscape setting and residual parts of the Green Belt”* and it’s *“highly visible nature”* in paragraph 65. Reference is also made to *“unobstructed views currently enjoyed from the Public Right of Way [Footpath 381a]”* (PRoW) that traverses the Appeal Site in the north. I consider the amenity of this route and the effect on it in **Section 7.5**.

3.1.15. I note at paragraph 65 The Planning Officer states *“The proposed screening of the development with vegetation will not alleviate this harm [to the Green Belt] and the screening itself, could have negative impacts on openness. A similar observation is made at Paragraph 98:“It is the case that the south-east corner of the site is relatively exposed when viewed from the adjacent roads, with a relatively low and slender hedge, which currently contains a number of gaps. While it may seem beneficial to provide more soft landscaping on this corner, there are concerns that this could have a dominating effect on the road and the openness, the countryside character currently enjoyed.”* I return to this in more detail at **Section 7.3** but is important to note vegetation when considered in Green Belt terms has no bearing on the consideration of Green Belt openness which is purely the absence of (certain types of) built form and not the visual openness of a particular view.

3.1.16. The Planning Officer confirms at paragraph 168, given the outline nature of the Proposed Development, matters of residential amenity can be addressed at reserved matters and are not cited as a reason for refusal.

3.2. Tandridge District Council Statement of Case

3.2.1. As noted in **Section 2.1.4**, TDC's SoC [CD2.2] recasts RfR 3 shifting from urban design matters such as density, circulation and layout and introducing landscape and visual matters, including the assertion the Appeal Site is a 'valued landscape' under paragraph 174 of the NPPF and that landscape impacts to the 'open countryside' and visual amenity would be unacceptable. Whilst the two topics are interlinked, they are distinct. I therefore consider landscape and visual matters in detail in **Sections 6.0 and 7.0** of my evidence whilst Mr Deely considers matters specific to urban design.

3.2.2. I do note however that neither in the Planning Officer's Report nor TDC's SoC issue is raised with the methodology nor findings of impacts of the LVIA [CD1.44] that accompanied the planning application. The Appellant made attempts to agree these formally as pre-submission but did not receive a response.

3.2.3. At paragraph 2.1 reference is made to the garden at Star Inn being a "*public viewpoint within the Conservation Area*" and I return to this in **Section 7.6**.

3.2.4. At paragraph 5.3 the SoC records that any further assessments for the Appeal Site requested by the Local Plan Examining Inspector "*have not been completed because the Council has subsequently suspended work on its emerging local plan pending clarification of central government policy on a range of matters set out in the Secretary of State for DLUHC's letter and ministerial statement in December 2022*". I therefore read this to be that no further assessment work for the Appeal Site will be undertaken by TDC in the immediate future.

3.2.5. At paragraph 5.5 the SoC acknowledges the Lingfield Neighbourhood Plan (LNP) is being prepared but that "*no weight can be afforded to the LNP in the determination of this appeal.*" I agree with this position.

3.2.6. At paragraph 8.13 reference is made to “open countryside” and at paragraph 8.26 in relation of impacts to the existing Public Right of Way (PRoW) Footpath 381a which traverses through the northern part of the Appeal Site and “rural character” at paragraph 8.30. I consider these particular matters within **Section 7.5** of my proof of evidence although note the change of description from that used in the Planning Officer’s Report [CD2.1] with both the Planning Officer and Heritage Officer describing the Appeal Site as ‘semi-rural’ (para 113).

3.3. Rule 6 Parties and other Third Party Comments

Star Fields Action Group

3.3.1. Star Fields Action Group has been granted Rule 6 status for this Appeal. In their SoC they raise 5 points in objection to the Proposed Development, point 1 being relevant to landscape and Green Belt harm:

- 1) *“Lingfield is a semi-rural settlement whose character is determined in large part by the green areas that extend into the centre of the village. Star Fields is a key site for maintaining this character, being both Green Belt land and largely in the Conservation Area. Were development to take place on Star Fields, it would begin the process of turning Lingfield into a dense, urban settlement.”*

3.3.2. I address this point in **Section 7.0** of my Proof of Evidence

Lingfield Parish Council

3.3.3. Lingfield Parish Council (LPC) has also been granted Rule 6 status and object to the scheme. In relation to their SoC I note the following in regard to landscape matters.

- 3.3.4. In paragraph 3.1 LPC acknowledges that Footpath 381a is *“unkempt and poorly lit”* and that *“there are glimpses of fields through the hedgerows”*, recognising the well vegetated nature of the path. I also note that LPC make no reference to views of St Peter’s and St Pauls Church Spire from Footpath 381a as there are none until the very western end of the footpath as one emerges adjacent to the Star Inn.
- 3.3.5. In paragraph 3.3 reference is made for support for Star Fields to be designated as a Local Green Space and also historical development applications in the 1980s’ and 1990s’ by Sunley Homes, part of which was granted approval at appeal.
- 3.3.6. The statement is made in paragraph 5.1 that *“there is no degree of certainty in the final outcome of how many houses there will be nor what they will look like”*. The application is for 99 dwellings in the area identified on the Illustrative Site Layout plan [CD1.22] submitted as part of the application. Whilst Appearance, Landscaping and Scale are reserved matters, the details of which can be agreed through condition, the Design and Access Statement [CD1.39] does provide an indication of the character of the Proposed Development.
- 3.3.7. I note at paragraph 4.7 LPC record that TDC officers *“admitted that, in hindsight, they should have consulted with the LNP about allocations for Lingfield but would not change the draft in any way admitted”*. My interpretation of this is that, despite LPC protestations, TDC were adamant in the position the Appeal Site was suitable for development in some form.
- 3.3.8. Reference to a single *“open view”*, presumably from the existing gateway, and not a number of views, from Footpath 381a is made in paragraph 5.4. Also in paragraph 5.4 there is an acknowledgement that views of the church spire will remain which is a specific design intention as detailed in **Section 5.0**. Other single views are noted from Town Hill and the Star Inn and again are all in very close proximity to the Appeal Site.

3.3.9. I note at paragraph 5.5 and 5.6 LPC acknowledges the importance of the railway line both as a physical and visual barrier in the landscape forming *“a distinct boundary to the east of the village”* (paragraph 5.5) and in terms of shaping and containing the historic growth of Lingfield (paragraph 5.6): *“the historic growth of Lingfield...has [been] shaped by the growth being constrained by the railway line”*.

3.3.10. At paragraph 7.3 LPC contend that the Appeal Site fulfils 4 of the 5 purposes of Green Belt and I return to this in **Section 8.0**.

4.0 Green Belt and Landscape Planning Policy

4.1.1. The following section provides a summary of policy relevant to harm to Green Belt purposes and landscape and visual considerations. Mr Evans's proof of evidence considers compliance with planning policy in more detail including the planning judgement of harm to Green Belt openness and the balancing exercise of VSC.

Figure 2 of my Proof of Evidence illustrates policy relevant to landscape and visual matters.

4.2. National Planning Policy Framework (NPPF)

4.2.1. The National Planning Policy Framework (NPPF, July 2021) makes clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12); effects on Green Belt (Section 13); and the natural environment (Section 15) are important components of this.

4.2.2. Paragraph 11 sets out that in determining applications for development this means that developments which accord with an up-to-date development plan should be approved. Where the development plan is not fit for the purpose of determining the application, paragraph 11 directs that the permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or *"the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed"*. My proof seeks to articulate the potential impacts to landscape and Green Belt and how they can be successfully mitigated.

4.2.3. Section 11 sets out considerations in 'Making Effective Use of Land' and notes in paragraph 111 *"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the*

environment and ensuring safe and healthy living conditions.” In releasing or developing land, including Green Belt land, there is rightly a principle to maximise its effectiveness subject to making potential harms acceptable and delivering good design.

4.2.4. Paragraph 120 subsection a) adds: *“planning policies and decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;”* As I explain in **Section 5.0** the design has been landscape-led and sought to unlock potential benefits beyond much needed housing provision.

4.2.5. In relation to Green Belt harm, Paragraph 137 of the NPPF states *“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”*

4.2.6. The five purposes of Green Belt as set out in paragraph 138 of the NPPF are:

- a) “to check unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

4.2.7. Under paragraphs 149 and 150 of the NPPF, the Proposed Development is considered to be *“inappropriate development”* within Green Belt. Paragraph 147 of the NPPF confirms that *“inappropriate development is, by definition, harmful to the*

Green Belt and should not be approved except in very special circumstances." The case of VSC is addressed by Mr Evans in the planning proof of evidence.

4.2.8. Paragraph 148 advises *"local planning authorities should ensure substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations"*. **Section 8.0** of my proof summarises potential harm as assessed within the Green Belt Assessment Report [CD1.42].

4.2.9. Paragraph 144 of the NPPF directs *"If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt."* I return to this is **Section 8.0** but my interpretation of this paragraph's intent is that the Green Belt designation is not an appropriate policy protection for comparatively small undeveloped areas in settlements, Green Belt being a strategic planning policy designation intended for towns and cities. The Planning Officer's report [CD2.1] at paragraph 38 confirms Lingfield is identified as a semi-rural service centre falling in Tier 2 of the settlement hierarchy.

4.2.10. Conserving and enhancing the natural environment is considered in Section 15 of the NPPF. In particular paragraph 174 states:

4.2.11. *"Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- *maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”*

4.2.12. Paragraph 175 adds:

4.2.13. *“Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.”*

4.2.14. **Section 5.0** of my Proof of Evidence summarises how a landscape-led approach has been adopted to ensure that potential impacts to the natural environment are avoided or mitigated. It is of note paragraph 174 does not define ‘valued landscapes’ which I consider in more detail in **Section 6.0**.

4.3. Planning Practice Guidance for Green Belt (July 2019)

4.3.1. The guidance sets out advice in relation to Green Belt in the planning system, noting at Paragraph: 001 Reference ID: 64-001-20190722:

4.3.2. *“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*

- *“openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.”*

4.3.3. Paragraph 002 reference ID: 64-002-20190722 adds:

4.3.4. *“Where it has been demonstrated that it is necessary to release Green Belt land for development, strategic policy-making authorities should set out policies for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land. These may be informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies, and could for instance include:*

- *new or enhanced green infrastructure;*
- *woodland planting;*
- *landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);*
- *improvements to biodiversity, habitat connectivity and natural capital;*
- *new or enhanced walking and cycle routes; and*
- *improved access to new, enhanced or existing recreational and playing field provision.”*

4.3.5. As part of a landscape-led scheme, the Appellant has sought to avoid harm to the Green Belt and other harms, and where they cannot be avoided mitigate them to acceptable levels. The Appellant has also sought to provide benefits beyond mitigation as part of the Proposed Development as advocated in PPG, including new areas of POS, biodiversity enhancements and improvements to Footpath 381a.

4.4. Tandridge District Local Plan

4.4.1. TDC's SoC [CD2.2] refers to the following policies from the Core Strategy [CD3.1] Tandridge Local Plan Part 2 [CD3.2] in relation to Green Belt harm and landscape and visual matters.

- **Policy DP10 - Green Belt**

"A. The extent of the Green Belt is shown on the Policies Map. Only in exceptional circumstances will the Green Belt boundaries be altered and this would be through a review of the Core Strategy and/or through a Site Allocations Development Plan Document.

B. Within the Green Belt, planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused. Proposals involving inappropriate development in the Green Belt will only be permitted where very special circumstances exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm."

- **Policy DP13 – Buildings in the Green Belt**

4.4.2. *"Unless very special circumstances can be clearly demonstrated, the Council will regard the construction of new buildings as inappropriate in the Green Belt. However, subject to other Development Plan policies, exceptions to this are as follows..."*

4.4.3. Policies DP10 and DP13 are essentially the test of VSC and are considered in detail within Mr Evans's proof of evidence.

- **CSP21 – Landscape and Countryside**

“The character and distinctiveness of the District’s landscapes and countryside will be protected for their own sake, new development will be required to conserve and enhance landscape character.”

- **DP7 – General Policy for New Development**

“A. All new development will be expected to be of a high quality design. Development should integrate effectively with its surroundings, reinforcing local distinctiveness and landscape character. Innovative designs will be encouraged where appropriate.

B. Where the principle of the proposed new development – whether on a site that is previously developed or green field – is in accordance with other policies in the Development Plan, permission will be granted where the following matters are effectively addressed:

Design of Development

1. Character & layout: The proposal respects and contributes to the distinctive character, appearance and amenity of the area in which it is located with layouts that maximise opportunities for linkages (for example footpaths and cycle paths) to the surrounding area and local services; ...”

4.4.4. Policies CSP21 and DP7 relate to landscape and design. The Proposed Development has been ‘landscape-led’ and I address how the Proposed Development has responded positively to these Policies in **Sections 5.0** in terms of landscape led design and **Section 7.0** in terms of potential landscape impacts.

4.4.5. Reference is also made within the TDC’s SoC to the Trees and Soft Landscaping Supplementary Planning Guidance (2017) [CD3.3]. This SPG seeks to protect existing trees and ensure they are duly considered as part of the design process. As

detailed in **Section 3.1**, the Arboricultural Officer raised no objection in relation to the Proposed Development in regard to trees and any details such as tree protection and soft landscape planting can be secured by condition in accordance with the Landscape Strategy Plan presented at **Figure 4** of my proof and submitted as part of the application. I do therefore not consider this SPG further in my evidence.

4.4.6. Also of relevance is the SPG Lingfield Village Design Statement [CD10.3]. This document was considered in the LVIA [CD1.44] and has informed the design evolution as part of a landscape-led proposal as set out in **Section 5.0**. As detailed design is not being sought for approval at this stage, I do not consider this document further within my evidence.

5.0 Landscape Design Evolution

5.1.1. Whilst urban design is considered in detail within Mr Deely’s proof of evidence, this section summarises the landscape design response that has been fundamental in shaping the Proposed Development as part of a ‘landscape-led’ scheme. These principles have been informed by and are consistent with the National Design Guide [CD10.7] that champions well-designed places and particularly the following paragraphs as cited by TDC in their SoC [CD2.2]:

5.1.2. **Paragraph 40:** *“Well-designed places are:*

- *based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;*
- *integrated into their surroundings so they relate well to them;*
- *influenced by and influence their context positively; and*
- *responsive to local history, culture and heritage”*

5.1.3. **Paragraph 49:** *“Today’s new developments extend the history of the context. The best of them will become valued as tomorrow’s heritage, representing the architecture and placemaking of the early 21st century.”*

5.1.4. **Paragraph 51:** *“Well-designed places, buildings and spaces:*

- *“have a positive and coherent identity that everyone can identify with, including residents and local communities, so contributing towards health and well-being, inclusion and cohesion;*
- *have a character that suits the context, its history, how we live today and how we are likely to live in the future; and are visually attractive, to delight their occupants and other users.”*

5.1.5. **Paragraph 52:** *“Local identity is made up of typical characteristics such as the pattern of housing, and special features that are distinct from their surroundings. These special*

features can be distinguished by their uses and activity, their social and cultural importance, and/or their physical form and design. Most places have some positive elements of character, particularly for their users. These can help to inform the character of a new development."

5.1.6. As noted previously, I have personally been involved with project from its inception in January 2018 when LDA Design was appointed to provide landscape and Green Belt advice to support securing the Appeal Site as an allocated development site in the emerging Local Plan. Further details on the planning history of the Appeal Site, including its allocation for development in the draft Local Plan is provided in Mr Evans's proof.

5.1.7. I provided advice to the client and consultant team in terms of the key landscape design principles that have shaped the Proposed Development from the very start as part of a 'landscape led' scheme. **Figure 3: Landscape Opportunities and Constraints Plan** illustrates the key landscape principles I identified and that have underpinned development proposals for the Appeal Site. In summary these were:

- The retention, set back of development from, and enhancement with new planting of footpath 381a as part of an east to west 'green spine' across the Proposed Development.
- The provision of green space adjacent to footpath 381a forming a central 'green heart' to the Proposed Development whilst maintaining separation between New Place and Church Lane.
- The offset and allocation of public open space (POS) and Sustainable Drainage (SUDs) in the southeast of the Appeal Site adjacent to Station Road/Town Hill junction.
- The retention of existing internal and boundary vegetation wherever possible.
- The sensitive design response to dwellings that back on to the Appeal Site.

- The active frontage of Proposed Development onto POS and outward on to Station Road and Town Hill.
- The use of existing landmarks such as the spire of the St Peter's and St Paul's Church to anchor the Proposed Development in its sense of place.

5.1.8. The principles identified have informed the masterplanning of the Proposed Development, including the extent and layout of built form. In addition, they have been further refined and improved following heritage advice from Dr Edis prior to the submission of the application. These amends included:

- Further reduction of the development area in the north of the Appeal Site within Lingfield Conservation Area to reduce potential heritage impacts.
- Further offset of built form from heritage assets at New Place to provide greater areas of POS.

5.1.9. These principles have underpinned the Landscape Strategy Plan submitted as part of the application and presented in **Figure 4**.

5.1.10. I note that TDC considered the Appeal Site suitable for the development of 60 dwellings under Policy HSG12 within the emerging Local Plan. The exact number of potential dwellings has been looked at closely both by TDC and the Appellant and this is considered in further detail within Mr Evan's proof. However, it is my own view the Appeal Site is capable of accommodating more than 60 dwellings acceptably in landscape and visual terms, subject to the principles above. It is right in my view that the Development of any site, whether it is in the Green Belt or not, makes most efficient use of that land once the principle of development has been established.

6.0 Consideration of ‘Valued Landscape’

6.1. Introduction

6.1.1. This section considers TDC’s assertion that the Appeal Site forms part of a ‘valued landscape’ under paragraph 174 of the NPPF. It should be noted there is no existing evidence base for the identification of valued landscapes within the district. It is also not clear at this stage what area of land TDC consider to be a valued landscape. In my experience valued landscapes tend to be larger tracts of countryside, such as river valleys or rolling downland and not one or two fields.

6.1.2. The Landscape Institute’s Technical Guidance Note 02/21: Assessing Landscape Value Outside National Designations (TGN 02/21) [CD7.17] provides the framework for consideration of ‘valued landscape’. This guidance (along with GLVIA3) recognises that all landscapes have a degree of value to someone but that does not equate to them being a ‘valued landscape’ under the terms of the NPPF. TGN 02/21 also confirms on page 12 that value is *“best appreciated at a scale at which the landscape is perceived – rarely is this on a field by field basis.”*

6.1.3. Case Law has further assisted in the interpretation of ‘valued landscape’ with the key Stroud District Council v Secretary of State for Communities and Local Government Gladman Developments Ltd [2015] EWHC 488 (Admin) ‘Stroud judgement’ [CD6.4] which established in that for a landscape to be valued *“the site to be valued had to show some demonstrable physical attribute rather than just popularity.”*

6.2. Existing Evidence Base

6.2.1. In terms of designations, the Appeal Site is designated within Green Belt and is partly within Lingfield Conservation Area within the adopted Tandridge Local

Plan [CD3.2]. Whilst the Conservation Area designation is of relevance, Green Belt is a planning designation and not an indicator of landscape value in and of itself.

6.2.2. It is of note the value of the Appeal Site (referenced as LIN030) was assessed within the Landscape Capacity and Sensitivity Study Addendum (2017) [CD7.13] (**Appendix 1**) undertaken by Hankinson Duckett Associates as part of the evidence base for the emerging Local Plan. I acknowledge the remit of the study was not to identify valued landscapes within the district but to identify sites that could potentially accommodate development, nonetheless the assessment of value as part of this study (published evidence bases is recognised in TGN 02/21), is helpful in determining if the Appeal Site is a valued landscape as it identifies features that can contribute to value and provides a numerical 'score' of the value of the Appeal Site.

6.2.3. The 2017 Addendum assessment concluded the value of the Appeal Site to be of 'moderate' value with an overall value score of 20 (out of a possible 36). The 2017 Addendum study uses the Box 5.1 assessment of GLVIA3 which was a precursor to more recent TGN 02/21 [CD7.14] which provides the current guidance in identifying valued landscapes, however, the two methodologies are not too dissimilar in approach and assessment criteria such that findings under the earlier Box 5.1 methodology can be readily transposed to the more recent TGN 02/21 guidance.

6.2.4. My own view on the 2017 Addendum conclusion is that it seems broadly correct in that the Appeal Site has some qualities of value but these are not outstanding nor exceptional. Ultimately, the 2017 Addendum study concluded the Appeal Site to have 'medium' landscape capacity for development which should be focussed in the northern part of the Appeal Site - hence its allocation in the emerging draft Local Plan and the recommendation that development be focussed in that area.

6.2.5. The LVIA [CD1.44] submitted as part of the application considers local landscape value and features of value of the Appeal Site and its locality in **Section 5.7.2** and factors in a higher value (district/local) as a result, noting the following in the wider area:

- PRow network;
- Lingfield Conservation Area;
- nearby Listed Buildings;
- nearby parkland of the Lingfield Estate;
- the wider network of woodland and field boundaries; and
- findings of the 2017 Addendum assessment.

6.2.6. Taking this into consideration, the LVIA concludes impacts within the Appeal Site and up to approximately 50m away to be Moderate and Neutral to landscape character (not significant); and Moderate and Adverse to visual amenity (not significant). This in my view, is a transparent and fair assessment, recognising the slightly higher landscape ‘value’ of the Appeal Site.

6.3. Assessment of Landscape Value

6.3.1. In response to TDC’s assertion that the Appeal Site is a ‘valued landscape’ I have undertaken a valued landscape assessment using TGN 02/21 [CD7.14] as a framework which is presented in **Table 1** below.

Table 1: Assessment of the Appeal Site as a ‘Valued Landscape’

Factor	Definition	Examples of Indicators	LDA Assessment
Natural heritage	Landscape with clear evidence of ecological, geological, geomorphological	Presence of wildlife and habitats of ecological interest that contribute to sense of place. Extent and	The Appeal Site is of limited ecological, geological or physiographical

	<p>or physiographic interest which contribute positively to the landscape</p>	<p>survival of semi-natural habitat that is characteristic of the landscape type. Presence of distinctive geological, geomorphological or pedological features. Landscape which contains valued natural capital assets that contribute to ecosystem services, for example distinctive ecological communities and habitats that form the basis of ecological networks. Landscape which makes an identified contribution to a nature recovery/ green infrastructure network.</p>	<p>interest and is representative of the general landscape of this area and the Horley to Swaynesland Low Weald Farmland landscape character area. The Appeal Site’s relatively flat topography is reflective of the Low Weald Farmland and the Eden Brook, the brook itself running north to south approximately 40m to the east of the Appeal Site.</p> <p>The Appeal Site is not within a nature recovery network nor any other landscape scale ecological designation.</p>
<p>Cultural heritage</p>	<p>Landscape with clear evidence of archaeological, historical or cultural interest which contribute positively to the landscape</p>	<p>Presence of historic landmark structures or designed landscape elements (e.g. follies, monuments, avenues, tree roundels). Presence of historic parks and gardens, and designed landscapes.</p>	<p>The Appeal Site comprises five fields known locally as Star Fields with cultural and historical connections to Church Town and New Place.</p>

		<p>Landscape which contributes to the significance of heritage assets, for example forming the setting of heritage assets (especially if identified in specialist studies). Landscape which offers a dimension of time depth. This includes natural time depth, e.g. presence of features such as glaciers and peat bogs and cultural time depth e.g. presence of relic farmsteads, ruins, historic field patterns, historic rights of way (e.g. drove roads, salt ways, tracks associated with past industrial activity).</p>	<p>The northern part of the Appeal Site is within Lingfield Conservation Area.</p> <p>The Appeal Site forms the setting to some nearby Listed Buildings and locally listed buildings.</p> <p>Footpath 381a traverses the Appeal Site in the north linking Church Road to New Place but as Dr Edis’s evidence demonstrates is not an ancient route.</p> <p>Further consideration of cultural heritage is provided in Dr Edis’s proof of evidence.</p>
<p>Landscape condition</p>	<p>Landscape which is in a good physical state both with regard to individual elements and overall landscape structure</p>	<p>Good physical condition/ intactness of individual landscape elements (e.g. walls, parkland, trees) Good health of elements such as good water quality, good soil health Strong landscape structure (e.g. intact historic field patterns) Absence of detracting/</p>	<p>The landscape is relatively intact with a fairly strong vegetative network of treed hedgerow field boundaries although some are more gappy and thin in places.</p> <p>No watercourses traverse through the Appeal Site</p>

		incongruous features (or features are present)	although a ditch aligns part of the south-eastern boundary adjacent to Town Hill. The influence of existing settlement and built form abutting the Appeal Site, including built form associated with Lingfield Racecourse to the east are notable.
Associations	Landscape which is connected with notable people, events and the arts	Associations with well-known literature, poetry, art, TV/film and music that contribute to perceptions of the landscape Associations with science or other technical achievements Links to a notable historical event Associations with a famous person or people	The Appeal Site does not have any connections or associations with well known literary, poets or artists, nor any technical or scientific achievements associations.
Distinctiveness	Landscape that has a strong sense of identity	Landscape character that has a strong sense of place (showing strength of expression of landscape characteristics) Presence of distinctive features which are identified as being	The Appeal Site does not contain any rare or distinctive features. The Appeal Site is not distinctive in itself but the church spire of St

		<p>characteristic of a particular place</p> <p>Presence of rare or unusual features, especially those that help to confer a strong sense of place or identity</p> <p>Landscape which makes an important contribution to the character or identity of a settlement</p> <p>Settlement gateways/approaches which provides a clear sense of arrival and contribute to the character of the settlement (may be ancient/historic)</p>	<p>Peter's and St Paul's is visible from a short stretch of Station Road around the junction with Town Hill.</p> <p>The Appeal Site is visible from a short stretch of Town Hill in the southeast before becoming screened further west by built form.</p> <p>The Appeal Site is also visible from a short stretch of Racecourse Road at the junction with Station Road but the church spire is not visible as it is screened by vegetation.</p>
Recreational	<p>Landscape offering recreational opportunities where experience of landscape is important</p>	<p>Presence of open access land, common land and public rights of way (particularly National Trails, long distance trails, Coastal Paths and Core Paths) where appreciation of landscape is a feature</p> <p>Areas with good accessibility that provide opportunities for outdoor recreation and spiritual</p>	<p>The Appeal Site has one PRoW (footpath 381a) that traverses through it.</p> <p>There is no other formal public access within the Appeal Site.</p>

		<p>experience/ inspiration Presence of town and village greens Other physical evidence of recreational use where experience of landscape is important Landscape that forms part of a view that is important to the enjoyment of a recreational activity</p>	
<p>Perceptual (Scenic)</p>	<p>Landscape that appeals to the senses, primarily the visual sense</p>	<p>Distinctive features, or distinctive combinations of features, such as dramatic or striking landform or harmonious combinations of land cover. Strong aesthetic qualities such as scale, form, colour and texture. Presence of natural lines in the landscape (e.g. natural ridgelines, woodland edges, river corridors, coastal edges). Visual diversity or contrasts which contributes to the appreciation of the landscape Memorable/ distinctive views and landmarks, or landscape which contributes to distinctive views and landmarks.</p>	<p>Internally, the Appeal Site itself does not contain any distinctive features such as woodland or river corridors.</p> <p>It has gently sloping topography that is not striking nor dramatic.</p> <p>The scale, form, colour and texture are typical of agricultural farmland of the area.</p> <p>Views across the Appeal Site to the church spire of St Peter and St Paul’s from around the junction of Town Hill and Station</p>

			Road are possible but no longer distance views are possible beyond this area.
Perceptual (Wildness and tranquillity)	Landscape with a strong perceptual value notably wildness, tranquillity and/or dark skies	High levels of tranquillity or perceptions of tranquillity, including perceived links to nature, dark skies, presence of wildlife/ birdsong and relative peace and quiet ¹⁶ Presence of wild land and perceptions of relative wildness (resulting from a high degree of perceived naturalness ¹⁷ , rugged or otherwise challenging terrain, remoteness from public mechanised access and lack of modern artefacts) Sense of particular remoteness, seclusion or openness Dark night skies A general absence of intrusive or inharmonious development, land uses, transport and lighting	Perceptually, the Appeal Site reads as apart of Lingfield being surrounded on four sides by built form and clearly physically delineated by the roads of Town Hill and Station Road. It does not have a sense of wildness but does display a limited degree of tranquillity as a undeveloped site although the influence of adjacent built form is always present when within the Appeal Site.
Functional	Landscape which performs a clearly identifiable and valuable function, particularly in the	Landscapes and landscape elements that contribute to the healthy functioning of the landscape, e.g.	The Appeal Site is agricultural farmland common of this area.

	<p>healthy functioning of the landscape</p>	<p>natural hydrological systems/ floodplains, areas of undisturbed and healthy soils, areas that form carbon sinks such as peat bogs, woodlands and oceans, areas of diverse landcover (benefits pest regulation), pollinator-rich habitats such as wildflower meadows Areas that form an important part of a multifunctional Green Infrastructure network Landscapes and landscape elements that have strong physical or functional links with an adjacent national landscape designation, or are important to the appreciation of the designated landscape and its special qualities</p>	<p>It has a reasonably strong vegetative network of field boundaries common of the wider locality.</p>
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6.4. Summary Conclusion: Valued Landscape

6.4.1. In light of the assessment above, and TDC’s own evidence base which rightly recognises the Appeal Site as having some qualities of value but places it firmly in the ‘mid-range’ of landscape value (20 out of 36 in value rating). One would reasonable expect a valued landscape to be scoring in the upper regions of this range. In light of the evidence base, field study and assessment and my own

experience of valued landscapes, it is my view the Appeal Site does not represent a valued landscape under the parlance of paragraph 174 of the NPPF.

6.4.2. Should the Inspector be minded to take a different view it is also of note that a site found to be a 'valued landscape' is not a preclusion to development and by adopting the landscape-led approach I have set out in **Section 5.0** shows how the Proposed Development has responded sensitively to its landscape context such that potential harm would be minimised.

7.0 Landscape and Visual Assessment

7.1.1. This section provides a summary of the findings of the Landscape and Visual Assessment (LVIA) [CD1.44] submitted as part of the application and I do not intend to repeat the findings in detail here. It is important to note that neither the Officer's Report [CD2.1] nor TDC's SoC [CD2.2] make any criticism of the LVIA methodology nor its findings which was undertaken in accordance with the Guidelines for Landscape and Visual Assessment (3rd Ed) [CD7.15] produced by the Landscape institute (LI) and the Institute of Environmental Impact Assessment and Management (IEMA).

7.1.2. Attempt was made by the Appellant to agree the scope of the LVIA in February 2022 prior to submission of the application but unfortunately no response was received from TDC.

7.2. Site Description and Landscape Context

7.2.1. As shown in **Figure 1** (Site location) and **Figure 5** (Topography), the Appeal Site is located on relatively flat land within the settlement of Lingfield. The land slopes gently to the east and the Eden Brook which flows northward approximately 40m to the east of the Appeal Site.

7.2.2. The estate parkland of the Eden Brook and Lingfield Estate is reflective of the area to the east of the Appeal Site, characterised by mature trees, and grassy parkland with semi-permanent car parking areas and larger scale built form in the form of Lingfield College and Lingfield Racecourse buildings.

7.2.3. This parkland character gives way to the more countryside characteristics of flat low-lying agricultural fields with clipped hedgerows and hedgerow trees further east beyond the railway line. The railway line and station are largely

inconspicuous within the landscape with a line of vegetation following the railway line forming an effective screen to views from the wider countryside (as recognised by LPC).

- 7.2.4. Development associated with Lingfield Racecourse is also characteristic of views from the east although the racecourse and main grandstand are set away from Racecourse Road and screened from view by intervening vegetation. Areas of parking, signage and fencing are visible features associated with racing events.
- 7.2.5. The Appeal Site is bordered on all sides by existing built form with Town Hill to the south and Station Road to east forming a clear physical boundary. The easterly aspect of the Appeal Site, along with existing built form, means that views further westward within Lingfield are largely screened. Views in the west are centred around St Peter's and St Pauls Church, Church Road and the historic core built form of this part of Lingfield.
- 7.2.6. The Church spire of St Peter's and St Paul's church is a landmark in local views rising above the existing residential dwellings and vegetation of Lingfield. The oasthouse at New Place Farm is also a local landmark albeit not as prominent visually as the church spire.
- 7.2.7. The Appeal Site comprises five fallow agricultural fields bounded by dissected by mature, hedgerows. Footpath 381a which runs east to west through the northern section of the Appeal Site is also well vegetated, save for two opposed field gateway that allows views into adjacent fields either side.

7.3. Conclusions of the LVIA in relation to Landscape Character Impacts

- 7.3.1. Natural England's Landscape Character Area Profiles identify landscape character at the national The Appeal Site is situated within NCA 121: Low Weald [CD7.11]

as identified in the National Character Area Profiles (2014). NCA 121: Low Weald is described as a *“broad, low lying clay vale which largely wraps around the northern, western and southern edges of the High Weald.”* It is noted as *“being predominantly agricultural, supporting mainly pastoral farming owing to heavy clay soils, with horticulture and some arable on lighter soils in the east, and has many densely wooded areas with a high proportion of ancient woodland.”*

7.3.2. The Surrey Landscape Character Assessment: Tandridge District [CD7.12]

provides character analysis for the district and other districts across Surrey. The document identifies 21 Landscape Character Types across Surrey, 9 of which are in Tandridge. The Appeal Site lies within the Low Weald Farmland Character Type, key characteristics of which include:

- *“Lowland weald, gently undulating between roughly 50m AOD and 100m AOD.*
- *Predominately farmland, with larger scale fields than the Wooded Low Weald (Type WW) to the west.*
- *Includes a well-developed hedgerow network and shaws, although generally intensively managed. Mature trees are often found within fields, but mature trees within the hedgerow network are relatively limited, particularly in comparison with the Wooded Low Weald (Type WW) to the west. [own emphasis]*
- *Isolated farmsteads and sporadic small groups of rural dwellings pepper the area. The eastern area bordering Kent has very limited settlement, while to the west, ribbon development of houses along roads is more frequent.*
- *Crossed by network of watercourse and brooks feeding in to the River Eden and Mole.*
- *Historic landscape pattern associated with farming and grazing of animals.*
- *Long distance views framed by vegetation are possible, particularly from more open, elevated locations, including views of the greensand hills and Chalk Ridge to the north.” [own emphasis]*

7.3.3. As advised by GLVIA 3 [CD7.15] at paragraph 5.14, *“Broad-scale assessments at national or regional level can be helpful in setting the landscape context, but are unlikely to*

be helpful on their own as the basis for LVIA - they may be too generalised to be appropriate for the particular purpose. Local authority assessments will provide more useful information about the landscape types char occur...". However, it is of note both assessments record woodland and vegetation characteristic of these character areas.

7.3.4. **Figure 6** illustrates the local character area assessment for Tandridge District [CD7.12] for Lingfield and its vicinity. The Appeal Site is located within the Horley to Swaynesland Low Weald Farmland landscape area which covers a large area of land from Lingfield in the east to Dorking in the west. It is described as *“an extensive area of low weald farmland which stretches from Horley and Redhill in the west, to the county boundary with Kent in the east. It is defined by the change in underlying geology to the north from clays to greensand, rising to the high weald to the south and the county boundary to the east. Settlement to the west including Earlswood, South Earlswood, Salfords, and Horley, form an almost continuous line of settlements along the A23 and define the extent of the character area to the west. The character area encloses the settlements of Smallfield, Outwood, South Godstone, Blindley Heath, and Lingfield, and adjoins South Nutfield and the south of Oxted. The boundary follows recognisable features such as roads and field boundaries. The area is outside the Surrey Hills AONB, but borders the High Weald AONB to the south-east.”*

7.3.5. Key characteristics are [inter alia] as follows:

- *“A low-lying landscape, underlain by Wealden Group Mudstone, Siltstone and Sandstone solid geology.*
- *Landform is broadly undulating, and falls towards winding water courses, such as Ray Brook and the River Eden, which flow east into Kent, and form minor local valley features across the character area. Wooded gills are also present, such as Putney Gill, Hookstile Gully. Landform rises to the north to meet the greensand hills which form the northern boundary, and to the south to meet the high weald.*

- *The character area consists predominantly of medium-large, arable fields, along with occasional areas of smaller pastoral fields.*
- *There is generally a consistent network of well-maintained hedges across the character area, dispersed blocks of woodland (often ancient woodland), and an area of more extensive ancient woodland in the north-east of the character area, including Honesland Wood, Little Earls Wood, Great Earls Wood and Staffhurst Wood. The hedgerow pattern breaks down in a few places, such as towards the central, southern part of the character area. There are a few, usually well vegetated, parcels of land, including paddocks, associated with dispersed farmstead and dwellings.*
- *There are views across the majority of the character area, although woodland occasionally obscures longer distance views.*
- *A network of minor roads and rural lanes, often lined with well-maintained hedges, cross the character area. There is a comprehensive network of public rights of way, including the Vanguard Way Recreational Path and the Tandridge Border Recreational Path.*
- *The character area wraps around several Built Up Areas, including Outwood, Smallfield, South Godstone, Blindley Heath and Lingfield, as well as the southern end of South Nutfield and Oxted.*
- *Within the character area, there are scattered farmsteads, attractive scattered settlements, church yards and mills, as well as some dense areas of ribbon development along minor roads, but overall there is limited settlement across the area, with particularly limited settlement in the south-eastern part of the character area.*
- *There are some areas of registered common land within the character area, namely Outwood Common, Blindley Heath, Staffhurst Wood, and Itchingwood Common. There are also a few listed buildings, schedules ancient monuments and Conservation Areas across the character area.” [all own emphasis]*

7.3.6. In addition to identifying key characteristics, the Tandridge Landscape Character Assessment also identifies guidelines for landscape management and accommodating development which include [inter alia]:

- *“Conserve the rural, largely unsettled landscape.*

- *Conserve the pattern and character of existing settlements, resisting spread and coalescence of settlement.*
- *Conserve and enhance the landscape setting to villages and edge of settlement.*
- *Any new development should conserve the enclosure and vegetated character of the surrounding landscape.*
- *Built form to be integrated by woodland edges, shaws, hedgerows and open areas linked to the existing network.*
- *Ensure new development respects existing rural characteristics and conserves distinctive open areas, greens and commons.*
- *Encourage new built development including sympathetic contemporary architecture to respect local characteristics, through high quality detailing and use of local pattern and building materials.*
- *Enhance the urban fringe and suburban landscape.*
- *Conserve and maintain the hedgerow field boundaries and the connectivity and quality of the network.” [all own emphasis]*

7.3.7. From the descriptions of key characteristics provided in the national, regional and local landscape character assessments it is clear to me that vegetation is a common and defining characteristic of area and not uncommon nor incongruous.

Furthermore, the landscape guidelines of the Tandridge Landscape Character Assessment actively promoted the planting of vegetation and hedgerows. I do not therefore consider the planting envisaged as part of the Proposed Development to be deleterious to landscape character as implied by TDC at paragraph 8.24 in their SoC [CD2.2].

7.3.8. It is also apparent from these character studies, built form and settlement are also characteristics of the landscape and that built up areas, including Lingfield, can be found regularly throughout them. Whilst I acknowledge the Appeal Site is currently undeveloped and would result in the loss of ‘greenfield’ land, the influence of surrounding built form, and the Appeal Site’s visual and physical

containment by Town Hill and Station Road means that it does not, in my view, read as the wider 'open countryside' beyond. The provision of generous POS (approx. 1.9ha in total) both in the north and south of the Proposed Development would avoid the creation of a 'hard urban edge', and combined with "*significant green spaces*" (to quote the arboricultural officer) within the built fabric itself would further assimilate proposed built form into its context allowing new views of St Peter's and St Paul's Church Spire to be appreciated whilst providing an active frontage to areas of POS.

7.3.9. **Appendix 2** of my proof provides and extract from Natural England's Green Infrastructure mapping tool and illustrates the areas of open space, both public and private within Lingfield. When viewed in combination with the aerial image presented at **Figure 1** demonstrates that a number of undeveloped greenspaces, both public and private, and including new POS proposed as part of the Proposed Development, will continue to provide open green areas within Lingfield and along Town Hill and Station Road.

7.3.10. In light of the above, I therefore concur with the findings of the LVIA [CD1.44] in that there would be a 'Moderate' but 'Neutral' impact on landscape character of WF3: Horley to Swaynesland Low Weald Farmland Landscape within the Appeal Site and approximately 50m from it, reducing to 'Negligible' and 'Neutral' to the wider Horley to Swaynesland Low Weald Farmland character area as a whole. No other impacts to any other landscape character areas would occur.

7.4. Conclusions of the LVIA in relation to Visual Impacts

7.4.1. A full technical LVIA has been undertaken and submitted as part of the planning application. Whilst TDC may now disagree with some of the conclusions in regard to impact they have not criticised the methodology nor scope of the LVIA.

7.4.2. I stand by the conclusions of the LVIA without demur in relation to visual impacts in that they would be limited to the Appeal Site and its immediate context – Receptor Group 1 within the LVIA. The LVIA rightly recognises impacts to Receptor Group 1 would be ‘Moderate’ and ‘Adverse’ but importantly these are not considered to be significant in landscape and visual terms. Visual receptors beyond this area would experience ‘Slight’ to ‘Negligible’ effects which are of ‘Neutral’ in nature. These receptor groups are represented in the LVIA by representative viewpoints as shown on **Figure 7** of my proof with accompanying photopanels included at Figure 7 of the LVIA.

7.4.3. To understand the extent of predicted impacts, presented at **Figure 7** of my proof is the Zone of Theoretical Visibility (ZTV) of the Proposed Development also with a more refined Zone of Visual Influence (ZVI) based on field observation illustrated in green. The ZVI is extremely limited and is essentially contained by existing built form and vegetation to the north and west and existing vegetation and dwellings along Town Hill to the south. Views from Church Road would be limited to glimpses through existing buildings and vegetation. Any glimpsed views further south along Church Road would be heavily filtered by vegetation and buildings lining the road and there would be no discernible change to the character of these views as a result of the Proposed Development

7.4.4. The ZVI does extend further eastward to the temporary carparking areas of the Lingfield Estate approximately 160m to the east but is quickly extinguished

beyond this by intervening vegetation. The dense mature hedgerow along Station Road, which would be retained as part of the Proposed Development is an effective screen to views from this road. I do acknowledge the hedgerow at the southern end of Town Hill is gappy in places but this would be consolidated with new planting (mindful of the proposed access) and the existing line of poplar trees on the southern roadside beyond the Appeal Site forms an effective visual screen to views further south.

7.4.5. No middle or longer distance views are possible as a result of intervening vegetation along the railway line.

7.4.6. I agree with TDC and Rule 6 parties that the spire of St Peter's and St Paul's is a local landmark of some importance in general terms – it is one that the design has sought to harness to 'anchor' the scheme in a sense of place (see **Section 5.0**). However, having looked at its visibility in detail in the locality of the Appeal Site, views of the spire of St Peter's and St Paul' Church are limited to a relatively small area around the junction of Town Hill and Station Road. In the northwest of Town Hill, northern area of Station Road and Racecourse Road the church is not visible due to intervening vegetation. From field observation the spire is also not visible from Footpath 381a apart from at its very western end, beyond the Appeal Site, adjacent to the Star Inn. Given its limited visibility, I do not believe the church spire is 'emblematic' in this area as TDC asserts given for the majority of the time it is hidden from view by intervening vegetation.

7.4.7. I agree with TDC in that the Appeal Site does convey a sense of arrival or 'gateway' to Lingfield when approaching along Racecourse Road. However, as set out above, the Appeal Site only becomes visible in the area around the junction with Station Road given the alignment of Racecourse Road and intervening vegetation, approximately 90m in the stretch of road from the bridge over the Eden

Brook to the Station Road junction. There is no reason in my view this 'gateway' and sense of arrive could not be enhanced as a result of the Proposed Development.

7.4.8. In summary, whilst some adverse visual impacts would occur, these are very limited in extent to the immediate locality of the Appeal Site. They would not be significant in landscape and visual terms and not incongruous to the existing visual amenity of the area which is characterised by settlement, roads, trees and hedgerows. Views of the spire of St Peter's and St Paul's would remain in places, which I would contend is not as visually prominent as TDC suggest, and new views to it would be created from within the Appeal Site. The character of a 'green' approach to Lingfield would remain with new built form set back behind the retained hedgerow and new area of POS. The visual amenity of the views from the wider countryside would remain intact.

7.5. Impacts on the Visual Amenity of Footpath 381a

7.5.1. As set out in **Section 5.0** the route of Footpath 381a which traverses east to west in the north of the Appeal Site was identified as a key structuring element for the Proposed Development. It runs for a total of approximately 380m linking Church Road to Station Road, with approximately 130m within the Appeal Site.

7.5.2. The footpath has been retained in its existing alignment with built form offset from it at least approximately 12m at its closest point with a provision of POS, retention of existing vegetation and new planting also. Subsequently, no built form would abut the path to either the north nor the south and the only direct physical impact to it would be the proposed access crossing to the northern field parcel which utilises existing opposed gateways.

7.5.3. The impacts to Footpath 381a are assessed as part of Visual Receptor Group 1 in Section 7.4.2 of the LVIA [CD1.44] and informed by two representative views (VP01 and VP02 A and B) and two illustrative views (A and B). The LVIA observes on page 37:

7.5.4. *“Views from Footpath 381a within the Site would visually change substantially with built form becoming more visible from this route. This is not considered be incongruent given existing built form is visible from this route (LVIA Figure 7.2 A and B). The set back of built form from this route and the provision of a large area of public open space with new wildflower and tree planting is seen as beneficial in mitigating potential visual impacts the Proposed Development may have. The overall visual character of the route, which is uninvoiting at present, is anticipated to improve as a result of the Proposed Development. Further east along this route views of the Site and Proposed Development are quickly screened by intervoening vegetation (LVIA Figure 7.9: Viewpoint A). Views further east at Lingfield Station are also not possible (LVIA Figure 7.9: Viewpoint B) meaning that only a short section of the footpath would be affected where it runs through the Site, approximately just over half (204m) of the total length of the footpath (380m) would be affected”.*

7.5.5. Further to the narrative in the LVIA, presented at **Figure 8** are a sequence of illustrative views traversing Footpath 381a east to west from Lingfield Station to Church Road. I acknowledge these are taken in summer but even in winter there is a strong network of vegetation lining the path. In these views the enclosure of the path is apparent with views out heavily restricted by either the high boundary wall of New Place at its eastern end (**Figure 8: FP2 and FP3**) or by vegetation in the central and western sections (**Figure 8 FP5, FP6, FP7**). It is of note relatively open views across the Appeal Site are only possible from the existing gateway (**Figure 8: FP4**) and in these views adjacent built form is characteristic of the view. In addition, views of the church spire of St Peter’s and St Paul’s church are not

possible from the path until it's very western section beyond the Appeal Site as one emerges adjacent to the Star Inn Public House (**Figure 8: FP8**).

- 7.5.6. An indicative technical layout of the crossing point has been provided by the Appellant as part of this appeal and updated arboricultural report [CD1.34]. Having reviewed these documents, whilst recognising there would be some vegetation removal required for visibility splays, it is not a significant amount in my view to cause a significant change to the character or amenity of the route which would continue to well vegetated along its course.
- 7.5.7. As noted in the LVIA and LPC SoC, the footpath at present is unkempt and poorly maintained. It is the Appellant's intention that new planting and contributions to the upgrading of the path in terms of lighting and surfacing will be secured as part of the Proposed Development.
- 7.5.8. I agree with the assessment of the LVIA [CD1.44] and acknowledge that whilst built form would be more prominent in views from Footpath 381a this is not uncharacteristic of the current amenity. The provision of generous POS adjacent to it and new planting as indicated in the Landscape Strategy (**Figure 4**); and enhancement of the path's surfacing and lighting would in my view overall improve what is currently an uninviting route to the important transport node of Lingfield Railway Station.
- 7.5.9. TDC's SoC [CD2.2] states at paragraph 8.26 Footpath 381a to be *"heavily used by pedestrians coming to and from the railway station."* LPC also observe in their SoC it is well used. I am not aware of any quantitative data counts of usage but have no reason to doubt that it is frequently used by people heading to and from the station given it is the most direct route when on foot. I would further suggest, as TDC SOC implies, it is likely for this reason that the majority of usage occurs – as a route to and from Lingfield Railway Station rather than for the recreational

amenity of the path of itself, particularly when numerous other routes, such as those at Lingfield Common and Beacon Field, are within the locality.

7.5.10. **Appendix 2** of my Proof of Evidence provides a map extract from Natural England’s Green Infrastructure mapping tool and illustrates the numerous natural spaces, both public and private that exist within Lingfield. It is also interesting to compare this map to the aerial photography in **Figure 1** in terms of understanding the quantity and spread of open spaces within Lingfield and it is of note large areas of open space, both public and private, are present including:

- to the north Lingfield Common (shown in lilac) and Jenners Field (pink)
- the cemetery of St Peter’s’s and St Paul’s (green and turquoise) adjacent to the north of the Appeal Site
- Talbot Road Recreation Ground (pink) in the south of Lingfield.
- Areas of woodland in the west of Lingfield between Newchapel Road and Godstone Road.

7.5.11. In conclusion, Footpath 381a has been a key design consideration of the Proposed Development. It will be retained and enhanced as part of the scheme and, whilst built form would become more visible from it, this is not uncharacteristic of the very limited views out from the route currently. The provision of generous POS and upgrades to path itself would improve, in my view, the current amenity of the route which provides an important link to Lingfield Station.

7.6. Impacts of the Star Inn Public House Garden

7.6.1. TDC in their SoC [CD2.2] state at paragraph 2.1 *“Clear views across the appeal site are also obtained from within the garden of The Star Inn which is considered a public viewpoint within the Conservation Area.”*

7.6.2. Whilst there can be no doubt this location lies within the Conservation Area, I do not agree that this view is a ‘public viewpoint’ as it is within the grounds of a public house that can only be accessible when the public house is open, subsequently I would consider it to be ‘semi-public’. Whilst GLVIA3 [CD7.15] does not rule out the use of ‘semi-public’ views in assessment, paragraph 6.20 provides guidance on the factors that one should consider:

7.6.3. *“The selection of the final viewpoints used for the assessment should take account of a range of factors, including:*

- *the accessibility to the public;*
- *the potential number and sensitivity of viewers who may be affected;*
- *the viewing direction, distance (i.e. short-, medium- and long-distance views) and elevation;*
- *the nature of the viewing experience (for example static views, views from settlements and views from sequential points along routes);*
- *the view type (for example panoramas, vistas and glimpses);*
- *the potential for cumulative views of the proposed development in conjunction with other developments.”*

7.6.4. In turning to the potential impacts on this view as a result of the Proposed Development, **Figure 9** of my proof illustrates the view from the garden of Star Inn. Given the existing intervening vegetation the view of the Appeal Site is screened and heavily filtered, limiting views of the Appeal Site to a gap in the vegetation in a small area of the garden. From the majority of the garden area the Proposed Development would be screened from view.

7.6.5. The area of the Appeal Site visible from this location within the garden is in essence the northern area adjacent to the south of the Footpath 381a which is proposed as POS, essentially maintaining an undeveloped area along this feature.

Whilst built form further south within the Appeal Site would be visible, it would be set back by approximately 39m from the boundary of the Star Inn garden and filtered by existing and new planting as part of the POS and hedgerow planting proposed in this area (**Figure 4**).

7.6.6. It is my view there would be little change to the amenity and character of this view which would remain open and vegetated, and in which built form is already characteristic. The fact it is not a 'public view' should also be taken into account when assessing the significance of potential impacts, as should the fact that only a limited area of the garden would be affected. New planting and offset of built form would further mitigate any potential visual impacts. The details of that planting, including further strengthening of intervening hedgerows contained within the proposed POS could be agreed by condition and within the Reserved Matters application. Overall, it is my view the visual amenity of the Star Inn public house garden would not be harmed from a landscape and visual perspective. Any potential effects in relation to heritage impact on the Conservation Area in which this view lies are considered by Dr Edis.

8.0 Harm to Green Belt Purposes

8.1. Summary of the Green Belt Context

8.1.1. As set out in paragraph 138 of the NPPF the five purposes of the Green Belt are:

- a) "to check unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."*

8.1.2. Further Green Belt policy guidance is summarised in **Section 4.0** of my Proof of Evidence.

8.1.3. TDC has undertaken a Green Belt Assessment (set out within 3 parts/stages) for the district with the aim of identifying suitable sites for removal and allocation. The Appeal Site was assessed in detail at the Part 2 stage (2016) [CD7.4 and CD7.5] as an 'area for further investigation'. Details of the Stage 2 assessment along with LDA's observations on them are provided in **Table 2** of the Green Belt Assessment Report [CD1.42] submitted as part of the planning application and I do not repeat them here.

8.1.4. Following the Part 2 assessment, the Appeal Site was assessed at the Part 3 stage (2018) [CD7.1 and CD7.2] by TDC as 'LIN 030 - Land at the Old Cottage, Station Road, Lingfield'. The Part 3 extract for the Appeal Site is provided at **Appendix 3** of my proof for ease of reference.

8.1.5. The Part 3 assessment notes at paragraph 3.30 *“For those areas, where it has been concluded that it effectively meets at least one of the Green Belt purposes, Part 2 recommends that those areas are not considered further as part of the Green Belt Assessment. However, it acknowledged that these areas may be considered further in terms of exceptional circumstances as part of the Local Plan process.”*

8.1.6. The Part 3 assessment also includes the findings of the Landscape Capacity and Sensitivity Study (2017) [CD7.13] which does not appear to have informed Parts 1 and 2 of the Green Belt Assessment. The Part 3 assessment makes the following observations in regards to the Appeal Site on pages 85 - 87:

8.1.7. *“...Whilst the area is generally open, it is also contained by built form and accordingly development is likely to have a limited impact with respect to its encroachment on the countryside, sprawl, merging with other settlements...It would also, by infilling this area make a positive contribution to settlement form”. [own emphasis added]*

8.1.8. *“...the impact of development could be reduced through buffers, landscaping and sensitive design, in particular it could be designed such that it conserves the setting of the Lingfield Conservation Area. Further, Town Hill which aligns the southern boundary and Station Road marking the eastern boundary provide robust and defensible boundaries, whilst making a positive contribution to settlement form in this location. As such this would limit the impact on the wider Green Belt’s ability to continue to serve these purposes.” [own emphasis added]*

8.1.9. *“Furthermore, the site comprises undeveloped land located on the edge of a Tier 2 settlement and as such is in a preferred location on sustainability grounds, being within close proximity to a GP surgery, schools, countryside, employment and public transport.” [own emphasis added]*

- 8.1.10. *“In addition, the site is considered, in principle, suitable for development from a landscape and ecology perspective subject to mitigation measures. Other potential adverse effects such as the impact upon the setting of listed buildings, surface water flooding and ground water contamination could similarly be adequately mitigated.” [own emphasis added]*
- 8.1.11. *“The Green Belt in this location serves the Green Belt purposes in terms of safeguarding from encroachment, preventing sprawl, preventing settlements from merging and preserving the Lingfield Conservation Area, and as such its development would impact up on the site’s ability to serve these purposes however as the site is physically and visually well contained by built form on three sides, and subject to the use of sensitive design, buffers, landscaping and robust and defensible boundaries, its impact on the wider Green Belt would be limited and its harm to the Green Belt purposes in this location mitigated. Accordingly, development is likely to have a limited impact on openness because it would infill a gap confined by built development and roads in the built-up area. It would ‘complete’ the settlement form.” [own emphasis added]*
- 8.1.12. *“...It is considered that, subject to appropriate design, development would make a positive contribution to settlement form, whilst providing an opportunity to enhance the Lingfield Conservation Area through townscape design.” [own emphasis added]*
- 8.1.13. In concluding, the Part 3 assessment states: *“Having considered all of the factors set out in section 3 of the paper “Green Belt Assessment Part 3: Exceptional Circumstances and Insetting” it is considered, as a matter of planning judgement, that this site does justify the exceptional circumstances necessary to recommend amendment of the Green Belt boundary.” [own emphasis added]*
- 8.1.14. In light of TDC’s findings, the Appeal Site was allocated for residential development under allocation HSG12 within the emerging Local Plan. Whilst I acknowledge that the exceptional circumstances test is different to the VSC test,

the level of potential harm and principle of development at the Appeal Site has been found acceptable by TDC.

8.2. Assessment of Harm to the Purposes of Green Belt

8.2.1. A Green Belt Assessment Report [CD1.42] produced by LDA Design has been submitted as part of the planning application and provides a detailed assessment of potential harm to the purposes of the Green Belt in specific to the Proposed Development (i.e. including the design mitigation measures advocated in TDC's Green Belt assessment). I agree with the findings of this assessment and do not intend to repeat the findings of that assessment here but feel it is useful to draw out some of the key findings in the following section. This section should be read in conjunction with **Figure 10** which illustrates the Proposed Development in the Green Belt context.

8.2.2. *Turner v Secretary of State for Communities and Local Government 2015* [EWCA Civ 466] [CD6.5] shows that the concept of 'openness' is not "*narrowly limited to a volumetric approach*" and that Green Belt policy is "*open-textured*" and a number of factors are capable of being relevant when it comes to applying Green Belt policy to the particular facts of a specific case. The case also confirmed that "*visual impact is implicitly part of the concept of 'openness' of the Green Belt*".

8.2.3. To inform the assessment of potential harm to the five purposes of Green Belt the proposed layout has been measured and is presented in **Table 2**. As scale, form and massing is a reserved matter it is not possible to calculate the built form volume of Proposed Development but I acknowledge that as the Appeal Site is undeveloped and the Proposed Development, as it involves introduction of built form, would result in an unavoidable reduction in openness. Indeed, TDC would

have recognised this when deciding to allocate the site for development in its emerging Local Plan.

Table 2: Proposed Development Footprint

	Total Area (ha)	Proposed Layout Footprint (inc. roads and gardens)	% Site Area of Layout Footprint
Appeal Site	6.3	4.2ha	67%

8.2.4. In terms of overall proposed layout footprint, the Proposed Development would result in approximately 2/3rds of the Appeal Site being developed (gardens and POS within the built fabric are included in this figure). It is of also of note approximately 1.9ha of new public open space (approximately 30% of the Appeal Site) would be created, principally in the northwestern and southeastern areas of the Appeal Site, but also permeating throughout the proposed built form as recognised by TDC’s arboricultural officer.

8.2.5. In terms of harm to the purposes of the Green Belt, the Green Belt Assessment Report [CD1.42] concludes in summary:

- Purpose 1: To check the unrestricted sprawl of large built up areas** - the Appeal Site does not contribute to this purpose and the Proposed Development would not result in sprawl of large built up areas. The Appeal Site lies within and reads as part of the existing settlement of Lingfield, being surrounded to the north, west, south and east by existing built form. The alignment of Tower Hill and Station Road form distinct, permanent and defensible physical boundaries to the Appeal Site, containing it from the wider countryside to the south and east and physically preventing the perception of sprawl. Vegetation along these routes, which would be retained and enhanced as part of the Proposed Development, would further assist limiting visibility and containing built form, rounding of the edge of the settlement. TDC’s own Part 3 analysis (**Appendix 3**) concludes that “...by infilling this area make a

positive contribution to settlement form.” **Figure 10** of my proof illustrates the spatial spread of the Proposed Development in the context of Lingfield and wider Green Belt and demonstrates, in my view, the strategic performance of this purpose of the Green Belt will continue to operate successfully.

- **Purpose 2: To prevent neighbouring towns merging into one another** - the Appeal Site does not contribute to this purpose and the Proposed Development would exert no impact on the performance of the Green Belt in preventing neighbouring towns merging into one another. The ‘infilling’ or ‘rounding off’ of built form of Lingfield does not constitute the merging of separate towns in my view (i.e. Lingfield with Dormansland). As TDC’s own Part 3 Green Belt evidence base states *“Town Hill which aligns the southern boundary and Station Road marking the eastern boundary provide robust and defensible boundaries”* and it *“would complete the settlement form”*.
- **Purpose 3: To assist in safeguarding the countryside from encroachment** – the Appeal Site does not contribute to this purpose and the Proposed Development would not result in harm to this purpose of the Green Belt. The Appeal Site is bordered by existing built form on four sides and the alignment of Tower Hill and Station Road provide distinct physical boundaries between the settlement and the wider countryside beyond. The Appeal Site is not and does not function as *“countryside”*. There would be no harm to the performance of Green Belt in relation to encroachment of the countryside and the essential countryside character of the Lingfield Estate and countryside beyond would remain intact.
- **Purpose 4: To preserve the setting and special character of historic towns** - the Appeal Site does contribute to this purpose and the Proposed Development would result in some limited harm to this purpose but would also create enhancements and new opportunities for appreciation of the historic core of Lingfield. Impact on the historic environment is addressed in detail by Dr. Edis.
- **Purpose 5: To assist in urban regeneration, by encouraging the recycling of derelict and other urban land** – The Proposed Development would not compromise other brownfield sites coming forward. The need to release Green Belt land to meet unmet housing need is recognised by TDC.

8.2.6. In relation to visual openness, the Green Belt Assessment concludes in Section 4.0:

8.2.7. *“The LVIA records the visibility of the Proposed Development is very limited, restricted largely to within close proximity of the southern and eastern boundaries of the Site. Longer distance views (approximately 200m+) are not possible given intervening built form and vegetation. In close range views the Proposed Development is set within the landscape amongst established field boundary vegetation which would be retained and enhanced with new planting. Built form of Lingfield is characteristic of these views with residential form surrounding the Site on four sides. The composition and character of these views, would remain although new built form within the Site would reduce the visual openness of the Site itself. The provision of new public open space would mitigate to some extent the reduction of visual openness within the Site and the visual openness of the wider locality would be unaffected.”*

8.2.8. I agree with these conclusions.

8.2.9. In summary in terms of harm to Green Belt purposes, I acknowledge there would be limited harm to purpose 4 in regards to setting and special character of historic towns but no harm to any other four Green Belt purposes would occur in my view. The limited harm to purpose 4 should be considered in the planning balance of VSC which Mr Evan’s addresses within the planning proof of evidence.

9.0 Summary and Conclusions

9.1.1. I have considered carefully the landscape and visual and Green Belt evidence submitted by TDC and Rule 6 parties in relation to the Appeal Site. In coming to my conclusions on the Proposed Development, I have also visited the Appeal Site over the course of a number of years and have been involved in the project and been able to shape firsthand how the Proposed Development responds as part of a landscape-led scheme.

9.1.2. From my review, I am of the opinion that TDC and Rule 6 parties have in my view:

- Failed to recognise that the Proposed Development has been shaped by a landscape-led response so that impacts can be successfully mitigated to acceptable levels and the most efficient use of the land is made.
- Failed to acknowledge fully the benefits of the Proposed Development, including the additional areas of Public Open Space and improvements to Footpath 381a, an important route between Lingfield Station and the town centre, opportunities TDC's own evidence base also identified.
- Incorrectly identified the Appeal Site as a 'valued landscape' under paragraph 174 of the NPPF. Whilst I recognise as set out in **Section 6.0** the Appeal Site has some qualities of value, principally in relation to heritage, and that all landscapes are 'valued' to some degree by local communities, this does not, in my view warrant it to be considered a 'valued landscape'.
- Even if the Inspector were minded to agree with TDC and the Rule 6 parties that the Appeal Site is a 'valued landscape', this does not preclude development from taking place within it.
- Overstated the visual prominence of the Appeal Site and the church spire of St Peter and St Pauls Church.
- Incorrectly overestimated the landscape and visual impacts of the Proposed Development which in my view, as set out in the LVIA [**CD1.44**] are limited to the immediate vicinity of the Appeal Site and would be no more than

‘Moderate Adverse’ at worst and which would not represent a significant landscape and visual impact.

- Incorrectly applied the Green Belt purpose tests as set out in paragraph 138 of the NPPF to the Appeal Site such that the harm identified to the purposes is overestimated. I recognise there would be limited harm to purpose 4 which should be considered in the VSC balancing exercise.
- In consideration of that harm, failed to consider the strategic performance of wider Green Belt beyond the Appeal Site and how it can continue to function successfully with the Proposed Development, as TDC’s own Green Belt evidence base did.

9.1.3. In conclusion, taking the evidence presented within my proof and other evidence provided by TDC and Rule 6 parties, it is my view that policies CSP21 relating to landscape and countryside and Policy DP7 relating to design in the adopted Local Plan would not be breached as a result of the Proposed Development.

Figures

Figure 1: Site Location

Figure 2: Landscape Policy

Figure 3: Landscape Opportunities and Constraints Plan

Figure 4: Landscape Strategy Plan

Figure 5: Topography

Figure 6: Landscape Character

Figure 7: Zone of Theoretical Visibility

Figure 8: Photoviewpoints: Illustrative Views from Footpath 381a

Figure 9: Photoviewpoints: Illustrative View from Star Inn Garden

Figure 10: Proposed Development within Green Belt Context

Appendices

Appendix 1: Extracts from TDC Landscape Capacity and Sensitivity Study Addendum (2017)

(including methodology from 2016 main document)

Appendix 2: Screengrab of Natural England's GI Mapping Tool

Appendix 3: Extract from TDC's Green Belt Assessment Part 3 (2018)