
7th April 2026

Rugby Road, Clifton on
Dunsmore

**Landscape
Evidence of Mr.
Jonathan Berry BA
(Hons), DipLA, CMLI,
AIEMA, M.Arbor.A**

Appeal between Richborough, and Rugby
Borough Council

Volume 1: Text

Council Ref: R25/0565

Planning Inspectorate Ref: 6003106

Appeal Date: 28th April 2026

Report Number: 18741_R01a_WL_JB



**Tyler
Grange**

Report No:	Date	Revision	Author	Checked	Approved
18741_R01	7 th April 2026	A	JB	Jonathan Berry BA (Hons), DipLA, CMLI, AIEMA, M.Arbor.A	

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Section 1: Introduction

Witness and Qualifications

- 1.1. My name is Jonathan Berry, I am a founding partner and Managing Director of Tyler Grange Group Ltd and I specialise in landscape and visual planning issues associated with development and change.
- 1.2. I hold a BA (Hons) degree in Landscape Architecture and a Post Graduate diploma in Landscape Architecture from the University of Gloucestershire. I am a Chartered Member of the Landscape Institute (LI), an Associate of the Institute of Environmental Management and Assessment (IEMA) and a Professional Member of the Arboricultural Association (AA).
- 1.3. I started my career in 1998 as a landscape consultant at Countryside Planning and Management Ltd (CPM). By 2006 I was a Regional Director of Waterman CPM, responsible for all landscape planning and arboricultural projects in the North of the Country. I along with three colleagues formed Tyler Grange LLP in January 2010.
- 1.4. I have been appointed by developers, local objection groups and public authorities to provide professional landscape and visual planning advice on a variety of projects, including major housing allocations, agricultural diversification schemes, open space appraisals, historic building conversions, tall building assessments and windfarm proposals. I have given evidence at numerous planning Inquiries during the last 27 years.
- 1.5. More specifically, I have spent the majority of my professional career to-date involved in the assessment of landscape and visual effects in relation to residential development at urban/rural fringe locations.

Instruction

- 1.6. Tyler Grange (TG) was instructed in March 2026 to provide landscape and visual expert witness service in relation to the Appeal Site and the Appeal Scheme. Previous landscape and visual assessment work was undertaken by Blade, and reference is made to their work within this Proof of Evidence (PoE).



Statement of Truth

- 1.7. The evidence I have prepared here represents my professional opinion on the aspects of landscape and visual impact assessment and responds to the Council's Reasons for Refusal (RfR). I believe the facts stated in this evidence are true, accurate and have been prepared in accordance with the guidance of my professional institution (the Landscape Institute), irrespective of by whom I am instructed.

Scope and Structure of Evidence

- 1.8. In terms of the structure of my evidence, I set out background of the application, the relevant parts of the baseline before addressing the Main Issues.
- 1.9. I will also establish my reasoning for how the proposed development complies with the relevant landscape policies and provide an overall conclusion.
- 1.10. This Proof of Evidence does not seek to repeat information set out in the Blade Landscape Architects Ltd Landscape and Visual Appraisal (LVA) (CD1.35 and 1.36) except where to make points or review the assessments therein. I have set out a review of the LVA in Section, and my assessment of effects on the character of the Site itself is slightly higher. My assessment of visual effects is also broadly consistent with differences in assessment being generally minor. However, I agree with its overall findings.
- 1.11. In respect of the wider policy context and overall planning balance, I defer to the evidence and expertise of Mr. Stephens of Marrons.
- 1.12. Within my evidence, where appropriate, I refer to published best practice guidance for considering landscape and visual matters. This comprises:
- Guidance for Landscape and Visual Impact Assessment, third edition (GLVIA3), LI and IEMA, 2013 (CD5.58);
 - Technical Guidance Note 2024-01: Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third Edition (CD5.62);
 - Technical Guidance Note 06/19: Visual Representation of Development Proposals (CD5.63);



- Technical Guidance Note 02/21: Assessing Landscape Value Outside National Designations, LI, 2021 (CD5.64).



Section 2: Site Context

Appeal Site and Context

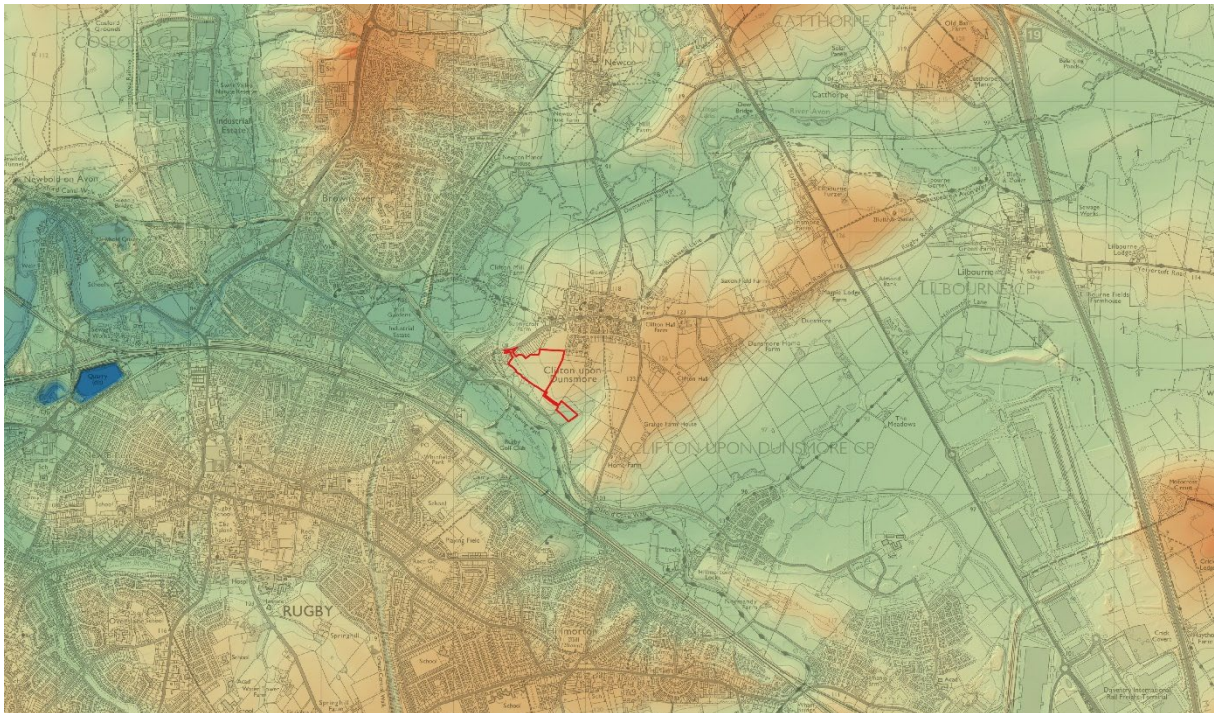
- 2.1. Details of the Site and its context are set out in the Landscape and Visual Appraisal (LVA) (CD1.35 and 1.36) in Section 2. They are summarised here with any relevant points picked out in more detail.
- 2.2. The Site comprises 9.21 hectares (ha) of greenfield land located to the east of Rugby Road, outside but adjacent to the settlement boundary of the village of Clifton upon Dunsmore. Residential properties lie adjacent to the west, north-west and north-east of the Site along Rugby Road and Newall Close. Land to the north is used as a sports pitch (Clifton Recreation Ground) which is enclosed by wire mesh fencing, with a line of mature trees located on the inside of the fenceline. Further residential development is situated beyond the recreation ground. The north-east corner of the Site abuts the rear curtilages of dwellings along Shutterworth Road. To the east and south of the Site boundaries are agricultural fields.



Insert TG 1: Appeal Site Context (Extract from Plan TG5).



- 2.3. The Site comprises a single arable field managed for crop production, with no internal trees, with an additional area highlighted for drainage uses. Its boundaries are defined by native hedgerows containing occasional hedgerow trees, though several stretches are degraded or gappy. Along the western and northwestern edge, where the Site adjoins residential development, the boundary includes a mix of robust and weakened hedgerows, supplemented by close-boarded timber fencing where vegetation is absent. Scattered trees also occur within neighbouring gardens. The boundary adjoining the public open space is largely unvegetated, featuring only a few native trees and fenced enclosures.
- 2.4. The Site is not covered by any national or local landscape designations, nor are any located within the 5km Study Area. The Site is not situated within a Conservation Area, the nearest of which is Clifton upon Dunsmore Conservation Area approximately 160m north of the Site. Heritage is listed as a 'key issue' in the Council's Statement of Case (CD6.1 paragraph 6) but then states in paragraph 6.45 that there will be a neutral impact upon the setting and significance of the Conservation Area, the only designated heritage asset identified by the Council as being of relevance.



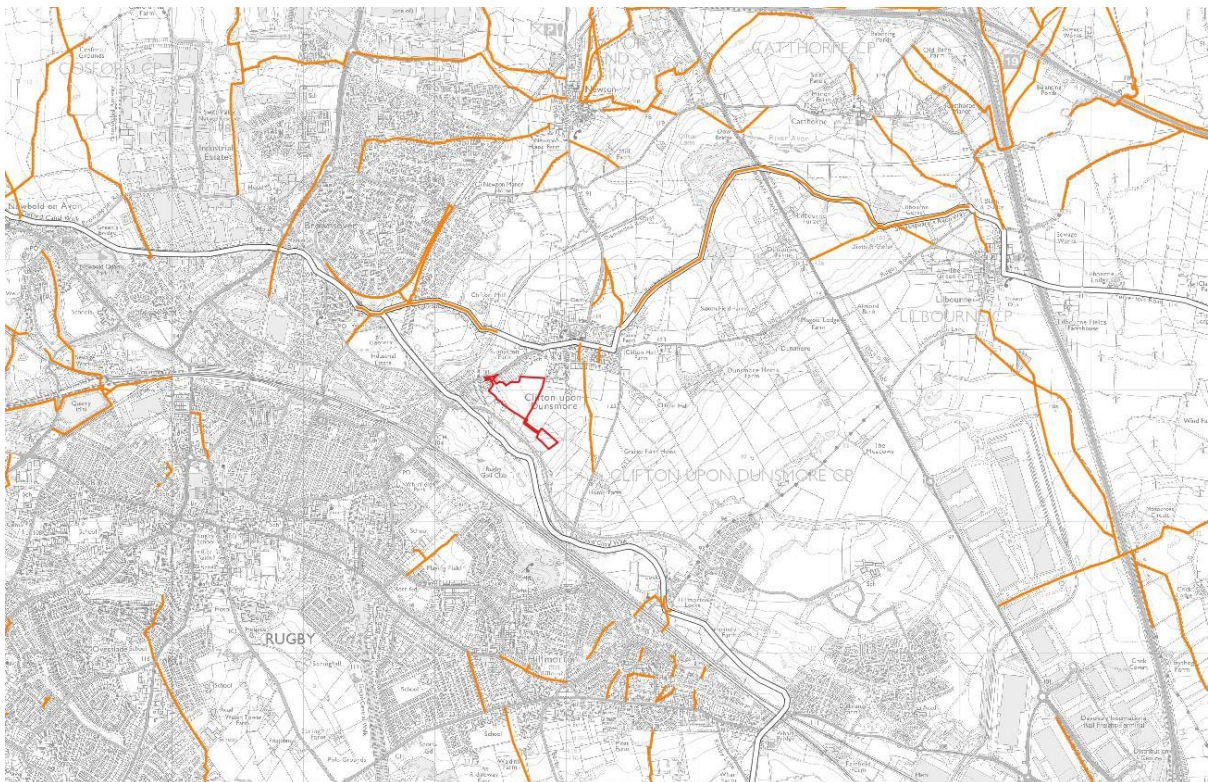
Insert TG 2: Topographic context of the Appeal Site.

- 2.5. The Site sits on the south-western edge of Clifton upon Dunsmore, a village situated on a local area of high ground at around 120m AOD, with the Site falling from around 114m AOD in the north



to 104m AOD in the west and 108 AOD towards the southern corner of the Site. The settlement's historic location is atop the hill, extending further downhill as it expands. To the southwest, the landscape falls towards Houlton Way and the Oxford Canal / Clifton Brook valley (approximately 95m-100m AOD), while land to the west slopes down further to the valley of the River Avon at around 88m AOD. Land rises again on the opposite slopes to the west and south of the valleys towards the built edge of Rugby. The undulating landscape combined with the edge of Rugby results in development being a prevalent feature of local views. Rugby Golf Club is situated to the south of the canal, between Clifton Brook and the railway line.

- 2.6. The wider landscape is undulating, with surrounding landform rising and falling in soft, plateau like undulation. The wider area exhibits a patchwork of farmland, tree groups and small woodland blocks, with the River Avon cutting through lower-lying ground to the northeast, north and west.
- 2.7. There is no public access to the Site and no Public Rights of Way (PRoW) cross or directly border it. Within the surrounding 1km, PRoW provision is limited, with only a small number of routes skirting the village edge. Beyond this, long-distance walking routes such as the Oxford Canal Way and Shakespeare's Avon Way provide broader recreational connectivity to the countryside.

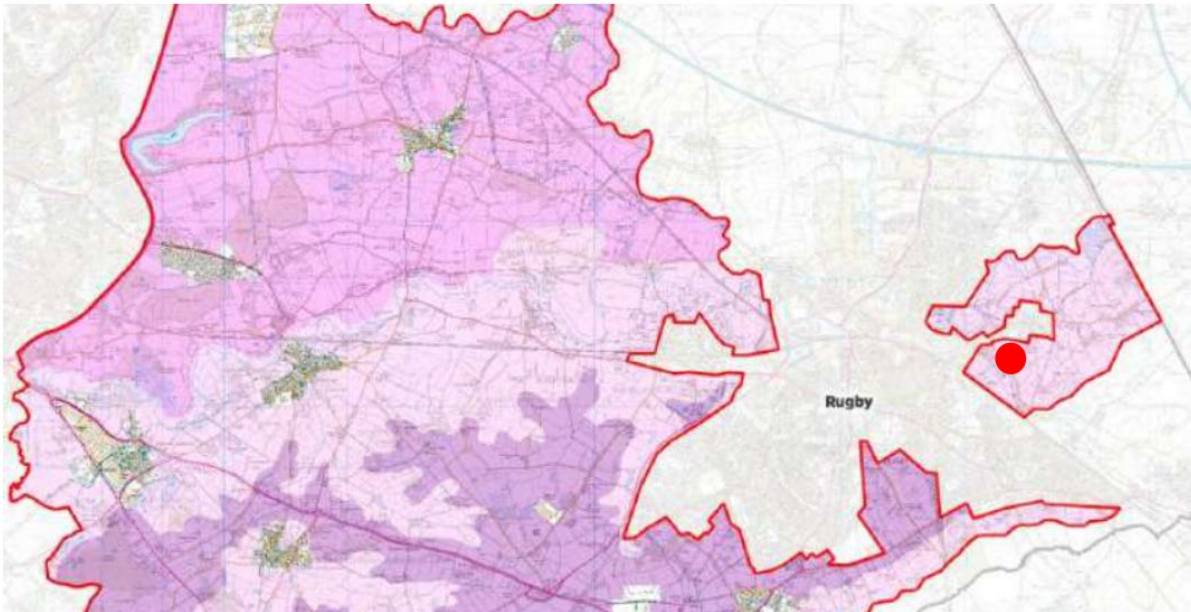


Insert TG 3: Distribution of PRoW (orange) and Promoted Routes (white) in the area of the Appeal Site.



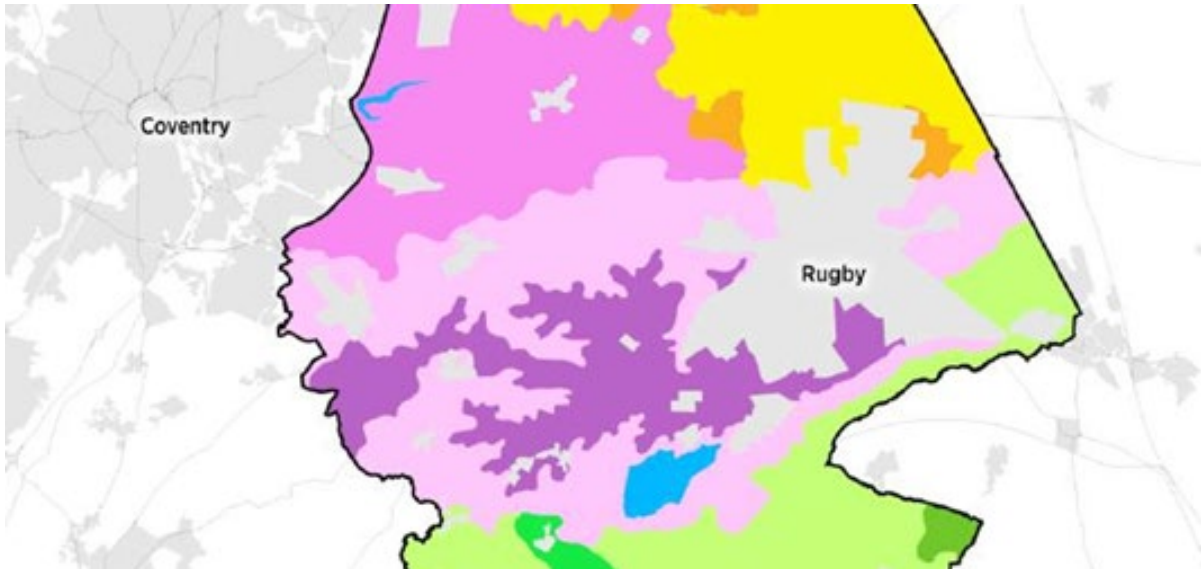
Landscape Character

- 2.8. The Site is situated within Dunsmore Landscape Character Area (LCA) within the Rugby Borough Council Landscape Character Assessment (2025) (RBCLCA) (CD5.46) (see Insert TG 4 below). The Site is also situated within Landscape Type (LT) 'Dunsmore Plateau Fringe' within the RBCLCA and National Character Area (NCA) 96: Dunsmore and Feldon. The plan showing the Dunsmore LCA, demonstrates where the LCA overlaps with the LTs, both of which were identified in the superseded 2005 RBCLCA.
- 2.9. TGN 2024-01 (CD5.62) states in paragraph 5(1) that *"it is not necessary to assess effects on every landscape character type or area identified by assessments at different levels for any development – the best scale of assessment for the project should be selected"*. Therefore, this evidence focusses on effects on the Dunsmore Plateau Ridge LT and the Site itself.



Insert TG 4: Extract from the Rugby Borough Council Landscape Character Assessment (2025) (CD5.46). Approximate location of the Site is shown by red circle within Dunsmore Landscape Character Area (LCA).





Insert TG 5: Extract from CD5.46 Figure 5.2 Landscape Types, showing the extent of the Dunsmore Plateau Fringe LCT in light pink

- 2.10. The LVA undertook an assessment on the Site's value using TGN 02/21: Assessing Value Outside National Landscape Designations (CD5.64) in Table BLA 7.1 (CD1.35) and concludes a medium value at para 7.37. You will see that I agree with that judgement at Section 4 of this evidence.
- 2.11. The characteristics and features of the published Dunsmore LCA are set out in the LVA (CD1.35) Section 7. Those key characteristics of relevance to the Site and surrounding context concluded by Blade comprised:
- Woodland cover is low;
 - Settlements including Leamington Spa, Coventry and Rugby have a strong influence on the area, met with key transport infrastructure and large warehousing units;
 - Predominately nucleated settlement pattern;
 - The landscape features large fields with regular or rectilinear shapes;
 - Key transport infrastructure, urban development and large warehousing units have a strong influence on the aural quality of Dunsmore; and
 - Arable fields alongside urban development.
- 2.12. The RBCLCA makes brief reference to the LCT within LCA Dunsmore, stating:



“Plateau Fringe is a variable, farmed landscape with a gently undulating topography of low rounded hills and narrow meandering river valleys of the Avon and Leam”; “large arable fields and poorly defined field patterns, interspersed with pockets of permanent pasture, river meadowland and small hedged fields. Small, nucleated villages are a characteristic feature.”

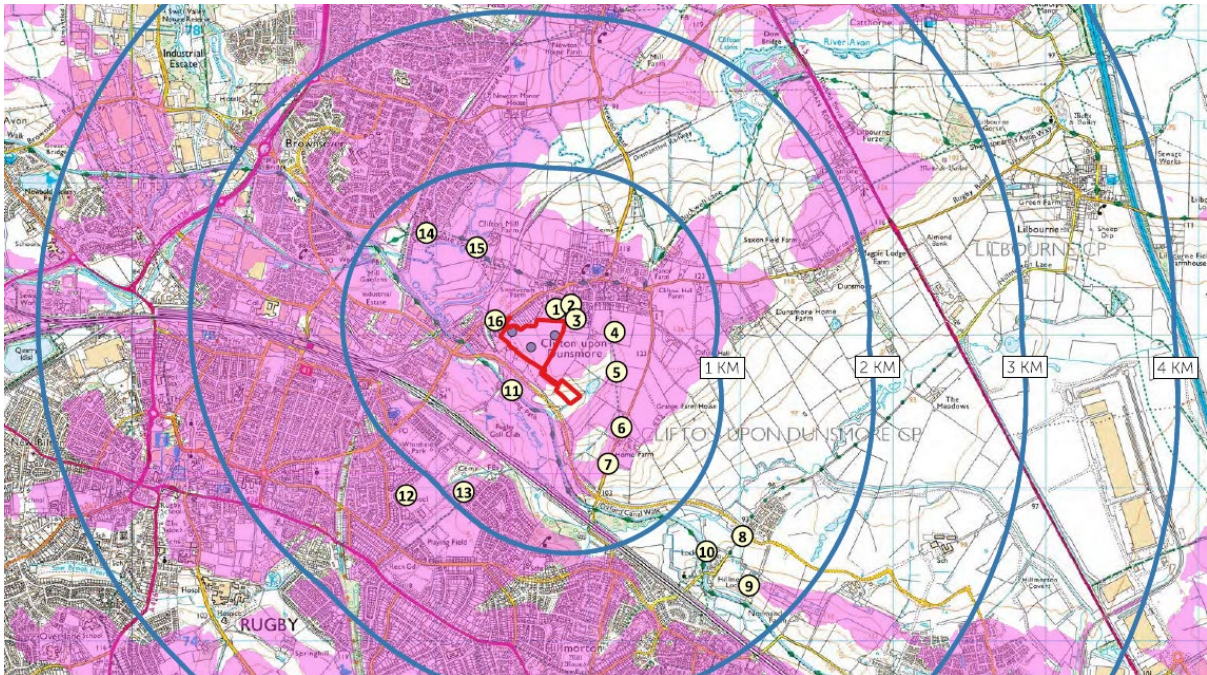
2.13. Impacts upon these will be addressed in more detail in Section 6 of my evidence.

Visual Baseline

2.14. The visual baseline is set out in Section 5 of the LVA (CD1.35). A series of 16 viewpoints were identified to represent receptor groups that may be impacted upon by changes to views and were agreed with Rugby Borough Council during May 2025 (CD1.35 paragraph 5.11).

Visual Analysis

2.15. The Zone of Theoretical Visibility (ZTV) analysis undertaken as part of the LVA (CD1.36 Appendix BLA 3 – see Insert TG 6 below) demonstrated the main areas of visibility within 5km of the Site, which were then investigated as part of the on-site assessment.



Insert TG 6: Zone of Theoretical Visibility (ZTV) showing viewpoints from LVA (Extract from CD1.35 Appendix BLA3).

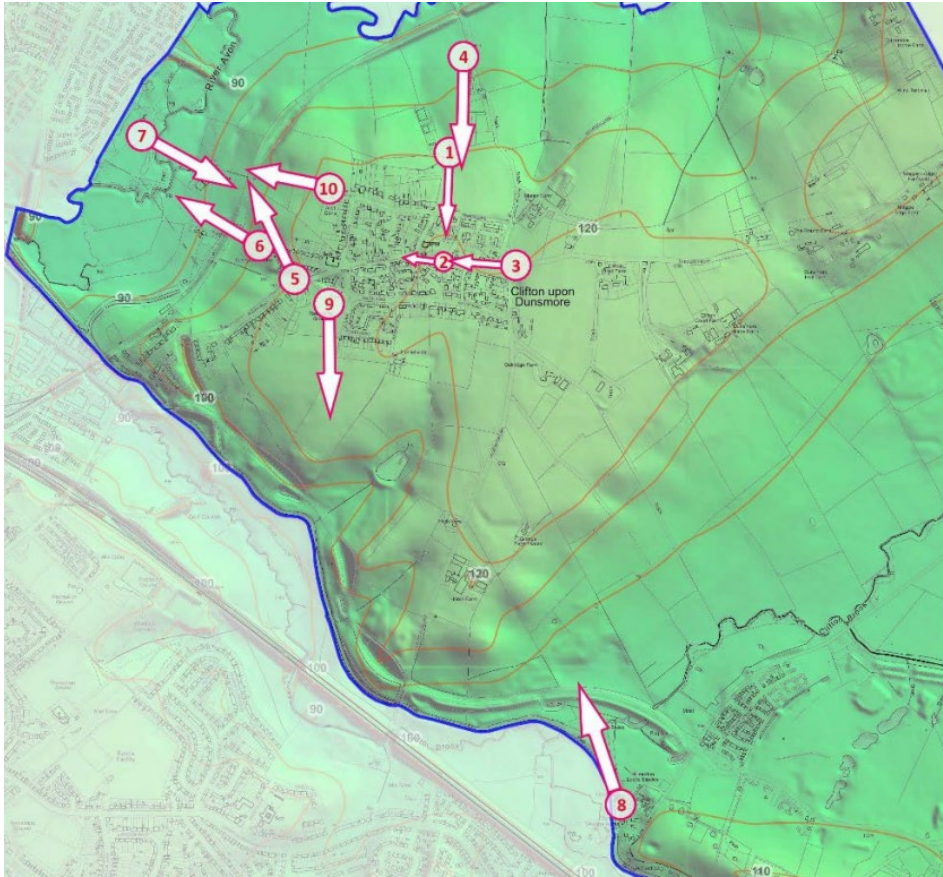


- 2.16. The ZTV demonstrates that the Appeal Scheme will be screened from views towards the east by intervening topography, whereas theoretical views are possible towards the west.
- 2.17. The on-site assessment as set out in the LVA (CD1.35 Section 9.0), and the visualisations contained in Volume 2, Appendix 6 of this evidence, demonstrate that available views are limited to within less than 1km of the Site, with the majority of views being within 500m of the Site. Within many of the views, the Site is seen as part of the existing built form but in some cases, particularly from the south and south-east, it is seen where the existing built form is not apparent.
- 2.18. Further discussion is set out in Section 6 of this evidence.

Viewpoints Identified within Evidence Base

- 2.19. The Site is located within the Clifton upon Dunsmore Neighbourhood Plan (CUDNP) area, although the CUDNP (CD5.27) is not yet 'Made'. The Referendum version of the CUDNP (March 2026) includes Policy ENV 5: 'Important Views' of which the views identified on Figure 11, page 53 (see Insert TG 7 below) are *"important to the setting and character of the village. Development proposals should respect and whenever possible protect them. Development which would have an adverse impact on the identified views will not be supported."*
- 2.20. Of the 11 identified 'Important Views', only two (Views 8 and 9) are identified as potentially being affected by the Appeal Scheme. However, as illustrated within the LVA (CD1.35 Table BLA 9.1 Viewpoints 8, 9 and 10), the Site is screened from CUDNP Viewpoint 8 by intervening vegetation. This also explains why verifiable visualisation were not requested for these views (Volume 2, Appendices 6 and 7).





Insert TG 7: Extract from CUDNP (CD5.27 - Appendix 5)

- 2.21. CUDNP Important View 9: 'From Clifton Recreation Ground, views south and southwest to Bluebell wood, Clifton Brook Valley, the Oxford Canal (and Rugby)' is represented by Viewpoint 1 in the LVA (CD1.35 And Volume 2 Appendix 6). Viewpoint 1 looks across the wire fencing a line of trees to the highest part of the Site, with development on the edge of Rugby visible beyond. Mature trees help to define the boundary of the recreation ground and are distant enough from one another not to form a tree belt. There is also no vegetative understorey, allowing for views into the northern extent of the Site, as seen on the visualisations in Volume 2 Appendix 6.



Insert TG 8: View from recreation ground towards Site (see Volume 2, Appendix 6, Viewpoint 1)



Section 3: The Application and the Appeal Scheme

The Planning Application

- 3.1. The Planning Application comprises an “*Outline application with some matters reserved for the demolition of all buildings and the residential development of up to 160 dwellings, and creation of associated vehicular access off Rugby Road, pedestrian/cycle access points, parking, landscaping, drainage features, open space, children's play area and associated infrastructure (all matters reserved except for vehicular access off Rugby Road)*”. It was accompanied by a number of documents, including a LVA (CD1.35 and 1.36) and Illustrative Landscape Strategy (CD1.7) produced by Blade.

The Appeal Scheme, Its Evolution and Benefits



Insert TG 9: Illustrative Masterplan (CD1.34 - page 31)



- 3.2. The Appeal Scheme is set out in the Design and Access Statement (DAS) (CD1.34) on page 30 and 31, demonstrating how an illustrative design for up to 160 new homes would relate to the existing development to the south-Rugby Road, at Newall Close and Shutterworth Road, as well as connection to the adjacent Clifton recreation ground. It has been developed based upon input from a range of technical consultants, including landscape. More detail regarding the evolution of the scheme is set out below.
- 3.3. The total Site area comprises 9.21ha, of which only 4.6ha (c.50%) is proposed for residential development, Over 47.5% of the Site, 4.38ha, is proposed for public open space (POS), drainage basins and wildlife habitat. The Appeal Scheme will be restricted to two storeys with minor instances of 2.5 storeys where appropriate.
- 3.4. The Appeal Scheme has been designed so that development is located away from the higher ground adjacent to Clifton recreation ground, and off the lower ground where drainage attenuation will be located. The northern area of the Site, most visible from Clifton recreation ground to the north (Viewpoint 1), will be kept undeveloped and will contain additional open space and a car park to support both old and new facilities. At the opposite end of the scheme, public open space is shown extending from the Site access, along the western and southern boundary to the southern point of the Site, incorporating a mixture of attenuation, landscaping provision and ecological benefit, as well as areas of play. Both areas are linked by a linear green corridor along the eastern boundary that comprises landscape and ecological enhancements. These green corridors provide opportunities for visual screening to soften and integrate the settlement edge in views.

Soft Landscaping Scheme

- 3.5. As set out in para 4.6 of the LVA (CD1.35), the landscape consultant has iteratively fed into the design process from the outset. The following elements, as noted within paras 4.6 to 4.12 of the LVA, draw upon guidelines from the character baseline and are incorporated into the design:
- Retain and strengthen existing landscape features such as hedgerows, trees and field boundaries for visual mitigation, habitat value and integration of the scheme;
 - Focus built development within the Site's interior, with green corridors linking to large areas of undeveloped public open space;
 - Use of wide landscape buffers and lower finished floor levels to reduce visibility of new buildings nestling them within the landform;



- Integration of the scheme into a robust green infrastructure network through retained, enhanced and new vegetation including a semi-natural managed green space and attenuation basin;
 - Creation of a walkable, pedestrian friendly layout with green corridors, connecting to the village nearby and the wider PRow network;
 - Introduction of new hedgerow and tree planting, including orchard species, to reinforce landscape character (see CD5.46 page 26 Table 6.1);
 - Maintenance of the existing approach to the village by setting back development from the roads;
 - Provision of native and ornamental hedges within housing plots; and
 - Dwellings to reflect local character in layout, height and scale.
- 3.6. An Illustrative Landscape Strategy (CD1.7) was prepared and submitted with the LVA (CD1.35 and 1.36 - Appendix BLA 4) (see Insert TG 10 below).



Insert TG 10: Illustrative Landscape Strategy (CD1.7) from LVA (CD1.36 - Appendix BLA 4)



Evolution of the Scheme

- 3.7. A Vision Document was prepared to support Richborough's submission to the Rugby Local Plan Review 'Call for Sites' and Issues and Options consultation in relation to land east of Rugby Road, Clifton-upon-Dunsmore. The Vision Document illustrated three different 'Options' of varying sizes, with Option 1 being a 'village extension' of approximately 180 dwellings; Option 2 being a 'medium extension' of approximately 340 dwellings; and Option 3 being a 'strategic option' of approximately 700 dwellings.



Insert TG 11: Initial options for consideration – Vision Document, 2024 (CD5.61 - Figure 16).

- 3.8. Option 1 was the closest to the Appeal Site extents, and the Vision Document provided the following concept points:
- Housing mix and tenures anticipated to be aligned to current and emerging housing needs policy;
 - Areas of new public open space, including opportunities for children's play and recreational walking routes;
 - The potential to expand the existing recreation ground and provide dedicated parking for the facility;
 - Sustainable surface water drainage strategy;
 - Retention of existing trees and hedgerows at the site boundaries and across the site;
 - Delivery of a net gain in habitats for wildlife;
 - Formation of safe vehicular access to the site from Rugby Road, with onward connectivity to a hierarchy of internal tree-lined streets;



- A masterplanning approach that defines a soft, attractive and outward-facing edge to the south of the village.

3.9. Prep-app consultation was undertaken with the Council in May 2025 for which a Framework Plan was submitted (illustrated on Insert TG 12 below).



Insert TG 12: Framework Plan submitted for pre-app (CD1.34 - Page29)

3.10. The pre-app response (CD3.3 page 5) did not raise any particular concerns with the 'Framework Plan' submitted as part of the pre-app. It did comment that:

*“the plan illustrates a logical block structure, and **potential community benefits** such as access to the **allotments**, an **extension to the existing playing fields**, and **opportunities for ecological enhancements**. If planning permission were granted on this site, it is considered it would be beneficial to secure some of these key design features at outline stage.”*

3.11. The public consultation event was held in person and online during 14th May 2025 with concerns raised including vehicular access and traffic along Rugby Road, capacity of existing infrastructure,



scale of development and potential of future development, affordable housing bungalows and low carbon technologies, views, biodiversity and green space and pollution. Taking that into account, the following were also raised which were of relevance to this evidence:

- Loss of views south of Clifton playing field – The view south from the playing fields are identified in the emerging CUDNP (CD5.27 paragraph 5.29 and Appendix 4). Users of sports fields are generally assessed as being of lower susceptibility to changes in the view but informal walkers using the space would be more susceptible. The Appeal Scheme will result in changes to these views, although it has been set back and designed to soften its visual impact on users of the playing field; and
- Loss of green space – The Site is not publicly accessible and is within private ownership. Bringing forward the Site for development will provide dedicated public open space for the benefit of new and existing residents. Extension of Clifton playing fields also helps meet local identified demand for new playing fields.

3.12. Additional features incorporated within the Appeal Scheme comprise:

- Connection to the adjacent allotments to the west;
- Tree-lined main route and tree planting along dwelling frontages to soften and break up views of built form, whilst also providing green infrastructure links to the wider network;
- Provision of a play area in the lower, southern parts of the Site;
- Creation of new wildlife habitats, resulting in a minimum BNG of 10% (currently illustrated as 17.09% in habitat units and 22.75% in hedgerow units can be achieved);
- Eastern green corridor linking northern and southern areas of POS; and
- Retention and enhancement of all boundary and other landscape features;

3.13. The Appeal Scheme has been designed based on early landscape advice and evolved through inputs from the consultant team and in response to consultation with the public and the Parish Council.



Section 4: The LVA

- 4.1. An LVA (CD1.35 and 1.36) was produced by Blade to inform the planning application.

Landscape Effects

- 4.2. The LVA included an assessment of effects on the NCA. TGN 24-01 (CD5.62 para. 5(1) states that *“it is not necessary to assess effects on every landscape character type or area identified by assessments at different levels for any development – the best scale of assessment for the project should be selected”*. Furthermore, the Warwickshire Landscape Character Assessment (WLCA) (Dunsmore Plateau Fringe) is 33 years old and does not take into account the changes that have occurred within that time period, which are particularly relevant in this location in the context of the edge of Rugby. This evidence therefore focusses on effects on the Dunsmore LCA and its overlap with the Dunsmore Plateau Fringe LT within the Rugby Borough Council Landscape Character Assessment (2025) (CD5.46 page 24).
- 4.3. Table 1 below sets out a summary of the landscape effects assessed within the LVA (CD1.35) with a commentary and my own assessment of effects, which is also set out in full in Volume 2, Appendix 2 and 3.



Table 1: Summary of Landscape Effects from the LVA (CD1.35)

Landscape Receptor	LVA Sensitivity	TG Comments (Reference Volume 2 Appendix 2)	LVA Magnitude of Change	TG Comments (Reference Volume 2 Appendix 2/3)	LVA Level of Effect	TG Comments (Reference Volume 2 Appendix 2/3)	Overall TG Commentary
NCA 96: Dunsmore and Feldon	None assigned	Scoped out of the assessment	Negligible/Imperceptible (Construction) Negligible/Imperceptible (Year 1) Negligible/Imperceptible (Year 15)	Agreed. Due to the scale, the Appeal Scheme would be unlikely to make any notable difference to the NCA.	Negligible/Imperceptible (Construction) Negligible/Imperceptible (Year 1) Negligible/Imperceptible (Year 15)	Agreed.	Due to the scale, the Appeal Scheme would be unlikely to make any notable difference to the NCA.
LCA: Dunsmore Rugby Landscape Character Assessment (CD5.46)	None assigned	Assessed as medium susceptibility and value, resulting in medium sensitivity. Rugby Sensitivity Study (CD5.47 page 109) assessed as of medium sensitivity.	Negligible/Imperceptible (Construction) Negligible/Imperceptible (Year 1) Negligible/Imperceptible (Year 15)	Agreed	Negligible/Imperceptible (Construction) Negligible/Imperceptible (Year 1) Negligible/Imperceptible (Year 15)	Agreed	LCA Dunsmore and LT Dunsmore Plateau Fringe are of a similar scale, as demonstrated on Inserts TG 4 and 5 above. However, the disparity between the assessment of both within the LVA (CD1.35) suggests that the LVA focusses on the area of LT Dunsmore Plateau Fringe <i>where it overlaps with LCA Dunsmore</i> .
LT: Dunsmore Plateau Fringe where it overlaps with LCA Dunsmore.	Medium	Assessed as medium susceptibility and value, resulting in medium sensitivity.	High (Construction) Medium (Year 1) Low (Year 15)	My own assessment is for minor effects at Year 1, reducing to minor / negligible at Year 15.	Moderate Adverse (Construction) Moderate Adverse (Year 1) No judgement made (Year 15)	My own assessment of effects on LCA Dunsmore are of minor adverse at Year 1 and minor / negligible adverse at Year 15.	
The landscape character of the Site	Medium	The assessment of value in the LVA (CD1.357.37) assesses the site as being of medium landscape, although the table BLA 7.1 assesses a range of values from medium to low, implying the Site is of below medium value. This is a fair assessment. It is agreed that the Site is of medium susceptibility to change.	Very High (Construction) High (Year 1) Medium (Year 15)	My own assessment methodology uses different criteria to that of the LVA. However, I have assessed large effects at Year 1, reducing slightly at Year 15, once native planting has become established. This is as would be expected given the comparative scale.	Major/-moderate Adverse (Construction) Moderate Adverse (Year 1) Moderate/Minor Adverse (Year 15)	I have assessed major / moderate adverse effects at Year 1, reducing to moderate adverse at Year 15, which is as would be expected given the comparative scale. This is slightly higher than assessed within the LVA.	



- 4.4. The LVA (CD1.35) assesses negligible effects on the Dunsmore LCA within the RBCLCA, but moderate adverse effects on the Dunsmore Plateau Fringe LCT within the WLCA. The LCA and LT are of similar scales within the RBCLCA and therefore effects would be expected to be similar for both. However, it appears likely that the LVA focusses on the area of the LT which overlaps with the LCA, resulting in a smaller receptor area. I have undertaken my own assessment of effects, which confirms that direct effects will be limited to the area of the Site, with indirect effects limited to the zone of visual influence which is within 500m to the south-west, 600m to the south-east and c. 750m to the south, with negligible effects to the north and west. I agree that effects on the LCA will be negligible but assess slightly higher effects on the area of the LT (minor/negligible at Year 15) as it overlaps the LCA.
- 4.5. Table 2 below sets out a summary of the visual effects assessed within the LVA (CD1.35) with my own commentary. My own assessment of effects is also set out in full in Volume 2, Appendix 2 and 4.

Visual Effects

- 4.6. The LVA identified 16 viewpoints within a 5km study area. The LVA (CD1.35 paragraph 5.11) states that the viewpoints identified were agreed with the Council. Further to post submission discussions with the Council, accurate verifiable visualisations were requested by the Council for 13 of these, as well as four additional views (Viewpoints 17-20) (see Volume 2, Appendix 6). In total, this evidence addresses 21 viewpoints (see Volume 2, Appendix 5). The LVA (CD1.35) assessed effects on viewpoints rather than receptor groups. TGN 24-01 (CD5.62 para. 6(7)) is clear that visual assessment should be undertaken on receptor groups, rather than views. Therefore, this evidence addresses effects in that format, using viewpoints to illustrate the baseline context.



Table 2: Summary of Visual Effects from the LVA (CD1.35)

Visual Receptor	LVA Sensitivity	TG Commentary (See Volume 2 Appendix 2)	LVA Magnitude of Change	TG Commentary (See Volume 2 Appendices 3 and 4)	LVA Level of Effect	TG Commentary (See Volume 2 Appendices 3 and 4)	Overall TG Commentary
Users of Clifton Recreation Ground – ‘Important View 9’ within Neighbourhood Plan (2025), (Viewpoint 1 and 20)	Medium	I have also assessed these as medium .	High (Construction) High (Year 1) Medium (Year 15)	I have assessed these effects as large at Year 1 and medium at Year 15.	Moderate Adverse (Construction) Moderate Adverse (Year 1) Moderate/minor Adverse (Year 15)	I have assessed these effects as major / moderate at Year 1 and moderate at Year 15.	I have assessed the effects slightly higher than the LVA.
Motorists on Shutterworth Road within Clifton upon Dunsmore (Viewpoint 2 and 3)	Medium	I have also assessed these as medium .	Medium (Construction) Low (Year 1) Negligible (Year 15)	This is not notably dissimilar to my own assessment of medium /small magnitude at Year 1 and Year 15.	Moderate/minor Adverse (Construction) Minor Adverse (Year 1) Minor/negligible (Year 15)	I have assessed this as slightly higher at moderate / minor at Year 1 and minor adverse at Year 15.	I have assessed the effects slightly higher than the LVA.
Walkers on Footpath 154/R116/1 (Viewpoint 4, 5 and 6)	High	I have assessed these as high/medium resulting from high susceptibility combined with a medium value of view.	Medium to Low (Construction) Low (Year 1) Negligible (Year 15)	I have assessed as medium at Year 1 and Small at Year 15.	Moderate to Moderate/minor Adverse (Construction) Moderate/minor Adverse (Year 1) Minor Adverse (Year 15)	I have assessed these as moderate at Year 1 and moderate / minor at Year 15.	My own assessment of effects is not notably different.
Motorists on Hillmorton Lane (Viewpoint 7)	Medium	I have also assessed these as medium .	Indiscernible (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	I have assessed slightly higher at small at Year 1 but negligible at Year 15.	Imperceptible (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	I have assessed slightly higher at minor at Year 1, reducing to negligible at Year 15.	My own assessment effects is not notably different.
Walkers on permissive route between Houlton and Hillmorton Locks (Viewpoint 8)	Medium	I have assessed these as high/medium resulting from high susceptibility combined with a medium value of view.	Indiscernible (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	I agree with these effects.	Imperceptible (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	I agree with these effects.	I agree with these effects.
Walkers on permissive route passing across Normandy Hill – ‘Important View 8’ within Neighbourhood Plan (2025), (Viewpoint 9)	High	I have assessed these as high/medium resulting from high susceptibility combined with a medium value of view.	Indiscernible (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	I agree with these effects.	Imperceptible (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	I agree with these effects.	I agree with these effects.
Visitors to Hillmorton Locks – ‘Important View 8’ within Neighbourhood Plan (2025), (Viewpoint 10)	High	I have assessed these as high/medium resulting from high susceptibility combined with a medium value of view.	Indiscernible (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	I agree with these effects.	Imperceptible (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	I agree with these effects.	I agree with these effects.



Visual Receptor	LVA Sensitivity	TG Commentary (See Volume 2 Appendix 2)	LVA Magnitude of Change	TG Commentary (See Volume 2 Appendices 3 and 4)	LVA Level of Effect	TG Commentary (See Volume 2 Appendices 3 and 4)	Overall TG Commentary
Walkers, Cyclists and Horse Riders using the Oxford Canal Walk towpath (Viewpoint 10 and 11)	High	I have assessed these as high/medium resulting from high susceptibility combined with a medium value of view.	Low to No Change (Construction) Negligible to Indiscernible (Year 1) Indiscernible (Year 15)	I have assessed these effects higher at medium / small at Year 1 and small at Year 15. The difference likely relates to the assessment of the receptor group rather than viewpoints.	Moderate/-minor to Imperceptible (Construction) Minor Adverse to Imperceptible (Year 1) Imperceptible (Year 15)	Agree imperceptible at viewpoint 10. However, views are available at points along the tow path closer to the Site. Effects would be perceptible and would result in the introduction of development into some views, albeit smaller in scale and over a limited extent. Effects would be moderate adverse at Year 1, reducing at Year 15 to moderate / minor.	My own assessment of effects is higher as it takes into account the receptor group using the tow path, including the much closer and more open viewpoint 11.
Users of Whinfield Park, Butlin Road, Hillmorton (Viewpoint 12)	Medium	I have also assessed these as medium .	No change (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	I agree with these effects.	Imperceptible (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	I agree with these effects.	I agree with these effects.
Walkers on Footpath 333/Rb48/1 (Viewpoint 13)	High	I have assessed these as high/medium resulting from high susceptibility combined with a medium value of view.	No change (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	I agree with these effects.	Imperceptible (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	I agree with these effects.	I agree with these effects.
Walkers on Footpath 333/R114/1 Shakespeare's Avon Way (Viewpoint 14 and 15)	High	I have assessed these as high/medium resulting from high susceptibility combined with a medium value of view.	Negligible (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	I agree with these effects.	Minor Adverse (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	Agree with the overall levels of effect, except at construction which would be negligible overall.	I agree with these effects.
Motorists on from Vicarage Hill/Rugby Road (Viewpoint 16)	Medium	I have also assessed these as medium .	Very High (Construction) Negligible (Year 1) Indiscernible (Year 15)	It is unclear why construction effects would be very high when other effects are negligible. The Appeal Scheme, whilst visible, will form a small element in the view, glimpsed beyond existing housing and will not change the character of the view. I agree a negligible level of effect.	Major/-moderate Adverse (Construction) Minor Adverse (Year 1) Imperceptible (Year 15)	Again, it is unclear why the construction activity, which would be hidden behind intervening housing for the most part, and will be temporary in nature, was assessed so high in the LVA. I have assessed negligible effects overall.	Aside from construction effects, I agree with these effects.



Visual Receptor	LVA Sensitivity	TG Commentary (See Volume 2 Appendix 2)	LVA Magnitude of Change	TG Commentary (See Volume 2 Appendices 3 and 4)	LVA Level of Effect	TG Commentary (See Volume 2 Appendices 3 and 4)	Overall TG Commentary
Motorists on Houlton Way (Viewpoint 17)	Medium	I have assessed these as medium/low as a combination of users of a large road balanced against an undesignated landscape.	Low (Construction) Negligible (Year 1) Indiscernible (Year 15)	I have assessed slightly higher effects of medium at Year 1 and Year 15.	Minor Adverse (Construction) Minor/-Negligible Adverse (Year 1) Imperceptible (Year 15)	I have assessed moderate / minor effects at Year 15.	I have assessed higher effects than the LVA. This difference is likely due to the assessment of effects on the receptor group and not the viewpoint.
Motorists on Clifton Road (Viewpoint 19)	Medium	I have also assessed these as medium .	Negligible to Imperceptible (Construction) Medium (Year 1) Low (Year 15)	I have assessed these effects as negligible .	Negligible to Indiscernible (Construction) Moderate/minor Adverse (Year 1) Minor Adverse (where direct views are possible) (Year 15)	I have assessed these effects as negligible .	My own assessment is notably lower than the LVA, likely due to the assessment of the receptor group rather than a single location and having had the benefit of the verified visualizations in Volume 2 Appendix 6.
Motorists on Newall Close (Viewpoint 21)	Medium	I have also assessed these as medium .	Very High (Construction) High (Year 1) Medium (Year 15)	I have assessed these as small at Year 1 and Year 15.	Major/-moderate (Construction) Major/-moderate Adverse (Year 1) Moderate Adverse (Year 15)	I have assessed these as moderate / minor at Year 1 and Year 15.	Users of Newall Close are likely to be residents, who are addressed separately. Motorists on the road are an extremely small user group and unlikely to experience any notable effects due to the intervening properties.
Motorists on Newton Road	Medium	I have also assessed these as medium .	Negligible to No change (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	I agree with these effects.	Negligible to Imperceptible (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	Separated from the Site by intervening built form and no effects anticipated.	Separated from the Site by intervening built form and no effects anticipated.



- 4.7. The LVA also included an assessment of residential receptors, although this did not comprise a Residential Visual Amenity Assessment (RVAA) in accordance with LI guidance TGN 02/19. LVIA is primarily focussed upon public views and private views were not raised within the consultee comment from the Landscape Officer. An RVAA was not requested as part of the application.

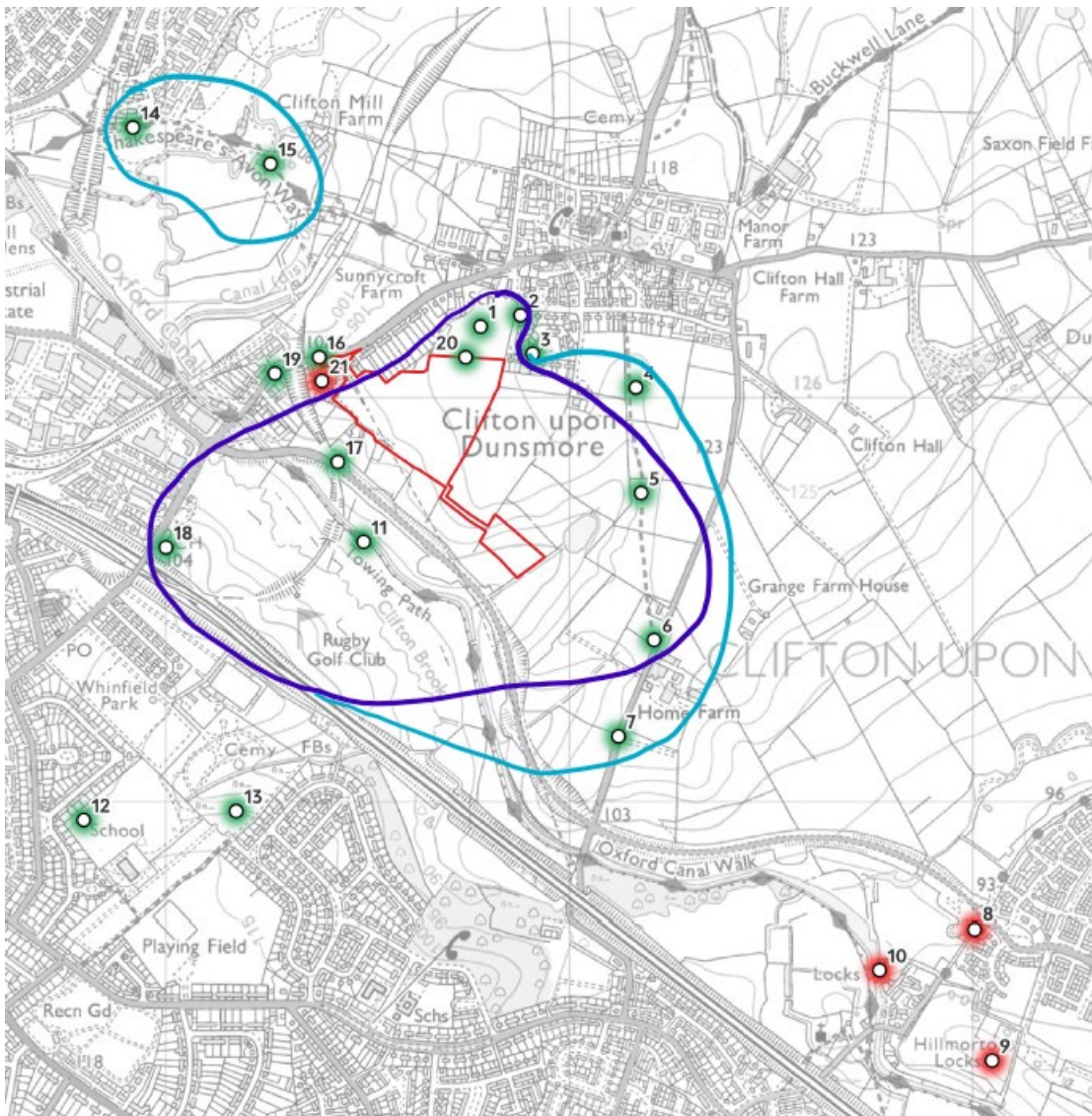
Table 3: Summary of Residential Visual Effects from the LVA (CD1.35)

Visual Receptor	LVA Sensitivity	LVA Magnitude of Change	LVA Level of Effect	TG Comments
Properties situated on Shutterworth Road oriented north to south	Very High to High	High (Construction) Medium (Year 1) Low (Year 15)	Major/-moderate Adverse (Construction) Moderate Adverse Year 1) Moderate/-minor Adverse (Year 15)	The majority of these properties have rear gardens that face towards the south, with the Site visible obliquely to the west.
Properties situated on Rugby Road nearest Clifton Park oriented north to south	Very High to High	Low (Construction) Medium (Year 1) Low (Year 15)	Moderate/-minor Adverse (Construction) Moderate Adverse (Year 1) Moderate/-minor Adverse (Year 15)	Properties on Rugby Road have extremely long gardens for the most part (c. 75m) and the gardens are well vegetated, meaning there are unlikely to be notable views from the principal rooms, as set out in TGN 02/2019 (CDX).
Properties situated on Rugby Road nearest the Site oriented southeast to northwest	Very High to High	High (Construction) High (Year 1) Medium (Year 15)	Major/-moderate Adverse (Construction) Major/-moderate Adverse (Year 1) Moderate Adverse (Year 15)	Other properties on Rugby Road are separated from the Site by intervening vegetation and topography. Moderate effects at Year 1, reducing to moderate minor at Year 15 is fair.



Visual Receptor	LVA Sensitivity	LVA Magnitude of Change	LVA Level of Effect	TG Comments
Properties situated on Newall Close	Very High to High	High (Construction) High (Year 1) Medium (Year 15)	Major/-moderate Adverse (Construction) Major/-moderate Adverse (Year 1) Moderate Adverse (Year 15)	The Appeal Scheme will affect views from two to four properties on Newall Close, two of which have likely views open to the Site and two of which are separated by intervening gardens. The assessed level of effect on these properties is appropriate.
Scattered properties on Hillmorton Lane oriented east to west		Low (Construction) Indiscernible (Year 1) Indiscernible (Year 15)	Moderate/-minor Adverse (Construction) Imperceptible (Year 1) Imperceptible (Year 15)	There is a single property on the western side of Hillmorton Lane (High View) which is surrounded by dense vegetation. Home Farm House is situated to the south-east of the road. Views from both of these properties are filtered by vegetation and also potentially take in development on the edge of Rugby. Should the Appeal Scheme be visible, it would be at a distance. Effects on this receptor group would be negligible at all stages.
Properties within Hillmorton, Rugby oriented north to south	Very High to High	Medium (Construction) Medium (Year 1) Low (Year 15)	Moderate Adverse (Construction) Moderate Adverse (Year 1) Moderate/-minor Adverse (where direct views are possible) (Year 15)	Due to distance, vegetation and landform, effects on residents of properties in Hillmorton will be negligible.





Insert TG 13: Sketch demonstrating area where Appeal Scheme will be a recognisable new feature within the landscape (dark blue) and where it will form a minor element within the view (light blue)

- 4.8. Although I disagree with some elements of the LVA, I agree that effects on public views will primarily be restricted to short stretches of the Long Distance Trail along the Oxford Canal, PRoW R116 south of Clifton upon Dunsmore and the recreation ground. Private effects will be limited to a small number of properties in close proximity with the majority of the adjacent properties being separated by large well-vegetated gardens.
- 4.9. I note that the LVA does include minor drafting errors, as highlighted by the Arboricultural Officer in his consultee response (CD4.17). However, that error does not change the outcome of their assessment.



Section 5: The Case Against the Appeal Scheme

- 5.1. The appeal is for non-determination and, as a result, there is no Decision Notice or an accompanying Committee Report, and therefore the Reasons for Refusal (RfR) are putative; however, the main issues can be assembled in response to the following documents:
- The Consultation Response from David Gower, the Council’s Arboricultural Officer – dated 6th November 2025 (CD4.17); and
 - The Council’s Statement of Case (CD 6.1).
- 5.2. The Case Management Conference (CMC) note (CD8.1 paragraph 4) refers to *“the effect of the proposed development on the character and appearance of the area, including considerations of landscape and visual effects and settlement identity”*.
- 5.3. These are extracted and summarised below.

The Consultation Response from David Gower – the Council’s Arboricultural Officer

- 5.4. An objection was received by David Gower, Arboricultural Officer at Rugby Borough Council via email on 6th November 2025 (CD4.17). His concerns about the LVA and Illustrative Landscape Masterplan were that:

“No rationale is provided with regard to depth of buffer especially to the east and level/depth of planting required to mitigate negative effects. Planting appears to be sporadic and woodland planting has not been incorporated. There is no provision of tree planting north to enhance the existing tree line (within Clifton Recreation Ground).”

- 5.5. As set out above, there is reference to para. 5.5 of the LVA (CD1.36), as the Officer notes that the text refers to features not present near the Appeal Site. I have checked the original LVA as set out at Section 4 of my evidence, and I confirm that Blade had obviously made a drafting error. That error does not change the outcome of their assessment.
- 5.6. A request for AVRs was made to better illustrate the effects. These are included at Volume 2, Appendix 6.



5.7. The Arboricultural Officer concluded the following from a landscape perspective:

“the scheme will be contrary to the recommendations of Rugby Borough Landscape Character Assessment. 6.6.1 [of the Blade Landscape Architects Ltd LVA] talks about the general decline of the Plateau fringe and the structure and key features of the farmed landscape should be enhanced. The scheme will replace the site’s agricultural character and also be contrary to the Policy NE3: Landscape protection and enhancement.”

The Council’s Statement of Case

5.8. The Council’s Statement of Case (CD6.1) does set out four putative Reasons for Refusal (RfR) at para. 9.1 with putative RfR2 being most relevant from a landscape perspective. It states:

*“The proposed development will cause **unacceptable harm to landscape character and visual impact** due to urbanisation of the site, truncation of important views and **will not relate well to local topography, built form and the existing settlement**. As a result it will be contrary to policy NE3 of the adopted Rugby Borough Council Local Plan 2011-2031 and Policy ENV7 of the Emerging Clifton upon Dunsmore Neighbourhood Plan (2011-2041).”*

5.9. This evidence will also respond to putative RfR no. 1, which states:

*“The proposed development will have an adverse impact on the **physical, visual and perceptual separation of, and contribute towards the coalescence of, Rugby and Clifton upon Dunsmore**. It would have a **significant urbanising impact on Clifton upon Dunsmore’s individual settlement identity and character**. The development is therefore contrary to policies SDC1 and NE3 of the adopted Rugby Borough Council Local Plan 2011-2031, policy EN4 of the emerging Rugby Borough Local Plan 2025-2042 and paragraph 135c of the National Planning Policy Framework (2024).”*

5.10. The Council’s Statement of Case builds upon the consultation response from the Arboricultural Officer, with the ‘Key Issues’ relevant to this evidence listed at para. 6 as being:

- Impact upon character of the area; and
- Landscape, Green Infrastructure and Visual Impacts.



5.11. A summary of the main points in relation to those key issues as determined by the Council are set out below:

- Introduces issues in relation to settlement pattern (para 6.30) and separation (para 6.31 and 6.32);
- Confirms Site is within LT Dunsmore Plateau Fringe;
- Requires justification for the buffer depth on eastern boundary;
- Requests photomontages and additional viewpoints at Rugby Golf Course club house, by road bridge on Houlton Way, from Rugby Road and properties that back onto the Site from Newall Close;
- References identified view from Clifton recreation ground within CUDMP;
- States development is not sympathetic to local character and history;
- Requests plan demonstrating contribution to strategic green blue infrastructure network as identified on Green and Blue Infrastructure policies map of the RBCLP (CD5.1);
- Confirms the Site is not a valued landscape and not subject to footnote 7 of the NPPF;
- Confirms Site does not contain, and is not within an area containing, assets of particular importance that would provide a strong reason for restricting the overall scale, type or distribution of development in the plan area (para. 6.14);
- The Neighbourhood Plan holds limited weight due to its current stage of preparation (para. 6.15);
- In bringing a neutral impact upon the setting and significance of the Clifton upon Dunsmore Conservation Area, the proposed development would comply with Chapter 16 of the NPPF and Policy SDC3 of the Local Plan in relation to Conservation Areas (para. 6.46);
- It is considered suitable separation from properties could be provided at reserved matters stage to ensure there will not be an adverse impact on residential amenity in relation to privacy, light or sense of enclosure (para. 6.61);
- WCC Ecology have no objection to the proposal subject to conditions (para. 6.88); and



- From an environmental objective the proposal will bring about environmental enhancements through the landscaped areas, including POS, BNG and SuDS (para. 6.121).

Third Party Consultee Responses

Clifton upon Dunsmore Parish Council

- 5.12. Clifton upon Dunsmore Parish Council (CUDPC) set out their objection in CD4.10. It is noted on page 1 that *“the proposal is not without some benefits”* but that they would not, in the Parish Council’s opinion, outweigh the harms. They also noted that promotion of a much larger site through the local plan process.
- 5.13. In section 2, CUDPC states that the site forms part of land *“that serves as a vital green buffer”*, presumably with Rugby.
- 5.14. Section 6 addresses ‘adverse impact on the landscape’, stating that the scheme would result in a significant harmful effect on the landscape character, distinctiveness and appearance of the area, although this is not substantiated with any assessment work. It further states that the Appeal Scheme would result in *“encroachment and urbanisation of the open countryside”*. It should be noted that this would be the case with any greenfield development.
- 5.15. On page 10, the response disputes the LVA findings that the Appeal Scheme is congruous within the receiving landscape, going on to state that the Site is *“highly cherished and held in great esteem by the local community”*. However, the Appeal Site is not publicly accessible and does not form part of the approach to the village, primarily being visible from an isolated area of the recreation ground.
- 5.16. The response further states that the Site is *“clearly visible from several locations both near and far, especially when viewing the site from the south and on the approach to Clifton upon Dunsmore from Rugby and the golf course or passing Clifton on the Houlton Way”*. It is not disputed that the Appeal Scheme will be visible from some of these locations, however, it is noted that many of these receptor groups are of lower sensitivity to change, i.e. users of Houlton Road, are private users, such as the golf course, or will not experience notable changes to the character of their views as a result of the development.



- 5.17. At the bottom of Page 10, the CUDPC response notes the separation of the village from Rugby, stating that *“there is little land as it is that separated Rugby from the village”* but then going on to note the ribbon development along Rugby Road, which the Site would sit behind.

Canal and Rivers Trust

- 5.18. The Canal and River Trust (CD4.9) did not raise any concerns with impacts upon the experience of using the canal.

Conservation Officer

- 5.19. The Conservation Officer stated in their response (CD4.23) that the Clifton upon Dunsmore Conservation Area was the only designated heritage asset that had the potential to be affected by the development proposal and that, importantly, *“the application site makes no contribution to the setting and significance of the conservation area”* and that *“the proposed development will have a neutral impact upon the setting and significance of the conservation area”*.

The Provision of Additional Information

- 5.20. To address the feedback from the Council and since my instruction as landscape expert witness, the following additional information has been prepared and accompanies this evidence:
- The production of wireframe visualisations by HCUK Group for 15 viewpoints (1-7, 11-16 and additional viewpoints 17-20), noting there is no formal requirement for photomontages or wireline visualisations to accompany an LVA (outside of an Environmental Statement) as set out in GLVIA3 or TGN 24-01. These were sent to the Council on 31st March 2026 and are included in Volume 2, Appendix 6.
 - A full set of winter photography has been obtained (see Volume 2, Appendices 6 and 7) and has been produced in accordance with the Landscape Institute’s Technical Guidance Note LITGN-2024-01.
 - The production of a series of Green & Blue Infrastructure Framework Plans which are included in Volume 2, Appendix 8.
- 5.21. There is no specific guidance from the Council on how to illustrate the overall achievements of the multi-functional strategic Green and Blue Infrastructure in relation to the Site’s location within the



strategic green infrastructure network. However, para. 9.10 of the adopted Local Plan (CD5.1) establishes the following:

“Where new multi-functional corridors between existing Green and Blue Infrastructure (GI) assets are made from a development site a framework plan will be required which addresses how to achieve the balance of public access and the protection of the existing Green/Blue Infrastructure site’s asset.

The framework plan should be informed by the GI Study and factor in the following:

- *Indicative buffers for the important Green and/or Blue Infrastructure corridors which form part of the strategic networks such as watercourse corridors and disused railway lines;*
- *Retain sites of historic environmental value;*
- *Indicative buffers where required to protect important Green/Blue Infrastructure against adjacent developments;*
- *Retain valued semi natural habitats; and*
- *Set out the local network of Green/Blue Infrastructure and how it will be managed and developed.”*



Section 6: Responding to the Disputed Matters

- 6.1. In terms of the structure of my evidence, I refer to my own assessment in Volume 2, Appendices 1-4) as well as the LCA (CD1.35 and 1.36) where applicable.
- 6.2. As already set out in my evidence, as a non-determination appeal there is no Decision Notice, so the disputed matters have been based on the consultation response from the Arboricultural Officer (CD4.17), the Council's Statement of Case (SoC) and the putative RfR (CD6.1).
- 6.3. I have summarised the main matters alleged by the Council as being:
- i. That the proposed development results in an **unacceptable change to the character of the landscape**, in as much as the proposed scheme will replace the site's agricultural character and **is not sympathetic to local character and history**, including the surrounding built environment and landscape setting.
 - ii. That the proposed development **incorporates inappropriate landscape mitigation that doesn't respond to the 'Dunsmore Plateau Fringe' Landscape Type** and it is **not clear how the Illustrative Masterplan relates to the setting** and how it mitigates the predicted adverse landscape and visual effects.
 - iii. The introduction of the proposed development would **expand the village towards Rugby town and would not guard against the potential coalescence between settlements**. Development would **diminish the degree of actual and perceived separation** which could have a significant adverse impact on the identity and distinctiveness of Clifton upon Dunsmore.
 - iv. The **impact on views, particularly those from Clifton Recreation Ground**. The Council's Statement of Case concludes that the proposals will impact significantly and truncate this important view from Clifton Recreation Ground in reference to 'Important View 9' of the Clifton upon Dunsmore Neighbourhood Plan.
- 6.4. I will also set out the merits of the Appeal Scheme in relation to the disputed landscape matters and provide an overall conclusion.



- 6.5. In respect of the wider policy context and overall planning balance, I defer to the evidence and expertise of Mr. Stephens.
- 6.6. I deal with each of these matters in turn below, referring to other Sections of my evidence. A full analysis of compliance with policy will be dealt with at Section 7 of my evidence.
- 6.7. It is important to reiterate that the Council did not consult an in-house Landscape Officer or external consultants to inform their landscape objection. They relied heavily on the Arboricultural Officer, Mr. David Gower, who does have a graduate diploma in landscape architecture, but he is not a Chartered Landscape Architect, and who did not undertake his own assessment in accordance with GLVIA3. The LVA (CD1.35 and 36) submitted to accompany the planning application and the assessment contained within this evidence represent the most detailed, up-to-date and, most importantly, only professional consideration of the Appeal Site and surroundings.

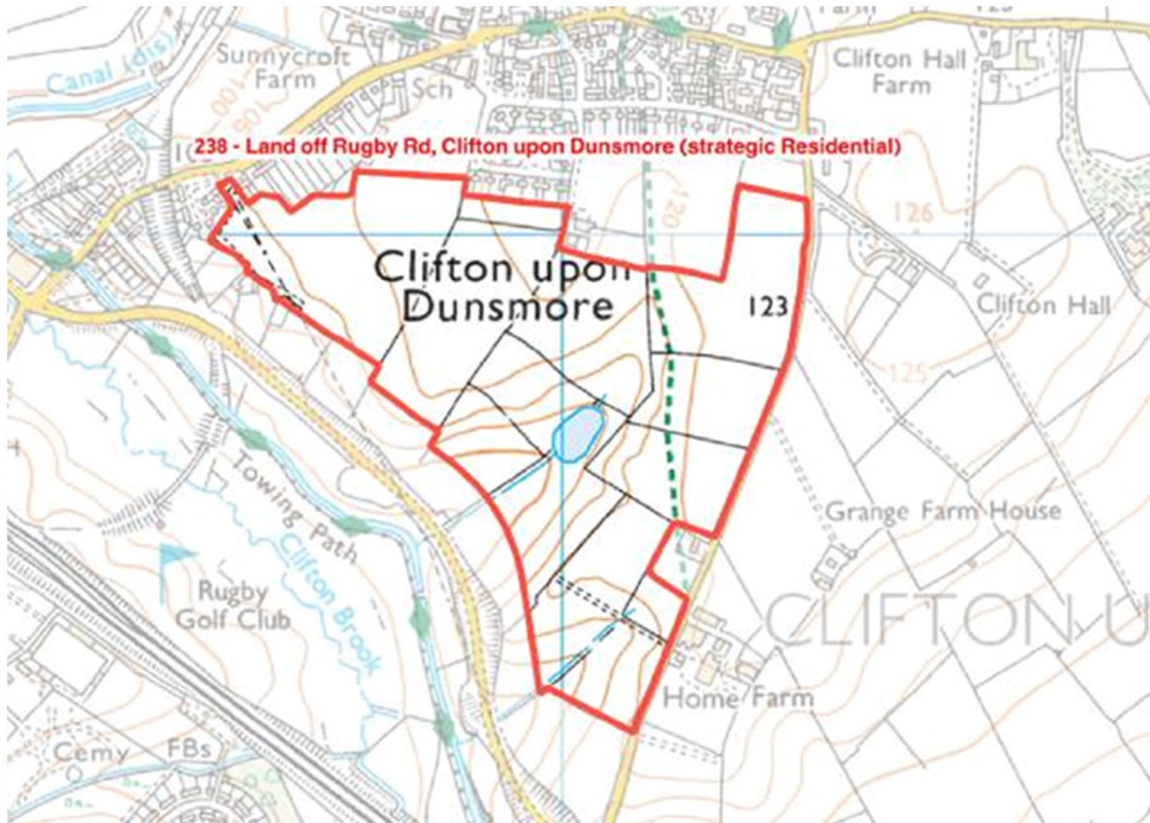
That the proposed development results in an unacceptable change to the character of the landscape, in as much as the proposed scheme will replace the site's agricultural character and in not sympathetic to local character and history, including the surrounding built environment and landscape setting

Sensitivity

- 6.8. My own assessment of sensitivity of receptors is set out in Volume 2, Appendix 2.
- 6.9. Firstly, as set out at para. 6.14 of the Council's Statement of Case (CD6.1), it is agreed that the Site is not designated, not a valued landscape and not subject to footnote 7 considerations as identified in the NPPF. It is not within an area, nor does it contain assets of particular importance that would provide a strong reason for restricting the overall scale, type or distribution of development in the plan area.
- 6.10. Secondly, there is no dispute that this is a medium sensitivity landscape associated with the Site and the Dunsmore LCA / Dunsmore Plateau Fringe LT within which it sits. The LVA (CD1.35) and my own assessment (Volume 2, Appendix 2) aligns with the findings of the Council's Landscape Sensitivity Assessment – March 2025 (CD5.47), which has been produced to support the emerging Local Plan.



- 6.11. Within the Landscape Sensitivity Assessment, the Appeal Site is located within a slightly larger parcel, extending eastwards a further 600 metres towards Hillmorton Lane (see Insert TG 14 below). It is referred to as ‘Site 238’.



Insert TG 14: Extract of the Council's Landscape Sensitivity Assessment (March 2025) (CD5.47)

- 6.12. The Council's Sensitivity Assessment (CD5.47) states that the site comprises arable and pastoral fields which are of **low susceptibility**. Furthermore, with regards to the surrounding context, the "man-made influences" are described as being:

"The village of Clifton upon Dunsmore is located adjacent to the north of the site. Houlton Way is located within 100m of the site. Hillmorton Lane runs along the eastern boundary, Houlton Way approximately 100m to the west of the site, and Rugby Road along a small section of the north. Agricultural infrastructure is located within the site and within the surrounding landscape. A golf course is located to the west. The site is situated at the urban fringe within 500m of Rugby where warehousing and commercial developments are situated.

- 6.13. The overall justification for the medium sensitivity of this wider landscape parcel is described as:



*“The site, located at the urban fringe of Rugby and Clifton upon Dunsmore, consists of arable and pastoral fields. It offers recreational value with a PRow traversing the site. While long-distance views are accessible at gaps in the hedgerows and trees, the **landscape maintains a strong sense of enclosure due to the dense vegetation and gently undulating topography**. Overall, the site has a **medium level of landscape sensitivity**.”*

6.14. In relation to that description, the Appeal Site itself has the closest relationship with the existing settlement edge along Rugby Road and Clifton upon Dunsmore of the entire of Parcel 238. Furthermore, it is private land with no public access; the aforementioned PRow traverses land some 305 metres (at its closest point) to the east of the Site.

6.15. Para. 9.1.3 of the Council’s Landscape Character Assessment (CD5.46), also provides an important overview about quality and condition of the landscape within which the Appeal Site sits:

*“Across the borough, the gently rolling farmed landscapes which include large arable fields as well as hedgerows and infrequent woodlands **do not generally give rise to conspicuous distinctive landscapes**. In the far south of the borough, located within the Ironstone Fringe LCT (part of the Feldon LCA) can be found the village of Flecknoe and Bush Hill. These places are an exception to the otherwise **unremarkable mosaic of agricultural landscapes found elsewhere in the borough**.”*

6.16. At a Site-specific level, the assessment work undertaken by the Appellant within the LVA, and supported by my own assessment, identifies that the landscape is dominated by arable fields planted with non-cereal crops, which do not form an intrinsically important feature. The hedgerows, scrub and other vegetated habitats on the Site are typical of farmed landscapes and considered to be of site-level importance only. Of the semi-natural habitats recorded, the hedgerows are fully retained under the proposals, with enhancements proposed. Some small areas of scrub will be removed and compensated for with new planting, and the landscaping proposals include areas of species rich grassland.

6.17. Simply put, this is an ordinary landscape at the settlement edge without any qualitative designation and with an absence of landscape assets of particular importance that would provide a strong reason for restricting the overall scale, type or distribution of development. In terms of the condition of the landscape, there is also clear scope for landscape enhancement. The LVA, my own assessment and the Council’s own Sensitivity Study all agree that the Site and the surrounding landscape are of **medium sensitivity** to change.



Landscape Effects

- 6.18. Next, I will consider the magnitude of change and the resultant landscape effects; and, then make a judgement as to whether those effects are unacceptable as asserted by the Council. I have included my own assessment of landscape effects in Volume 2, Appendix 3. A comparison of my assessment and the LVA is included in Table 1 above.
- 6.19. Landscape effects are assessed in terms of the interaction between the magnitude of the change brought about by the development and the sensitivity (a product of value and susceptibility as set out above) of the landscape resource affected. The landscape effects can be beneficial, neutral or adverse.
- 6.20. In this way, landscapes of the highest sensitivity, when subjected to a high magnitude of change from the proposed development, are likely to give rise to 'major' landscape effects. Conversely, landscapes of low sensitivity and quality, when subjected to a low magnitude of change from the proposed development, are likely to give rise to only 'minor' or 'neutral' landscape effects. Beneficial landscape effects may arise from such things as the creation of new landscape features, changes to management practices and improved public access.
- 6.21. In accordance with GLVIA (CD5.58, pages 90-93, para. 5.48-5.57), judgements are needed about the size or scale of change, the geographical extent of the area influenced, the extent to which landscape elements will be lost (or gained); and the degree to which aesthetic or perceptual aspects of the landscape will alter.
- 6.22. As set out above, it is consistent between the LVA, the Council's sensitivity assessment (CD.47) and my own judgement, that the Site and the immediately surrounding landscape is an ordinary undesignated landscape, of 'medium' or 'ordinary' value, and medium sensitivity, with capacity to absorb characteristic change at the expanding settlement edge of Rugby and Clifton upon Dunsmore.
- 6.23. The proposed vehicular access road off Rugby Road will be 5.5m wide with appropriate visibility splays and shared 3.0m footway/cycleway on both sides, linking into the existing pedestrian network. It will result in the loss of an area of scrub that is dominated by non-native species, three Hawthorn trees (Category C as assessed in the Arboricultural Impact Assessment (CD1.40) and an early-mature Lime tree that is located just off-Site (Category B). This is not considered to be an intrinsically important habitat nor a landscape feature that contributes to the quality and defining character of the area.



- 6.24. Based on the other maximum development parameters associated with the proposed area of housing CD1.31), it will result in the removal of some of the existing greenfield elements, including a portion of the existing arable field (approximately 4.6 ha / c.50% of the Site) and subject to final design, the possible loss of two Category C boundary trees (a young Elder and a semi-mature Ash). There would be no loss of any boundary hedgerows and no removal of any Category A trees as set out in the Arboricultural Impact Assessment (CD1.40).
- 6.25. Overall, the vast majority of the identified typical boundary features will be retained, reinstated and enhanced. Also, opportunities exist to establish long-term management of the remaining vegetation structure.
- 6.26. As set out in Section 2 of my evidence and within the original LVA (CD1.35), para. 6.3.4 of the RBCLCA (CD5.46), describes the Dunsmore Plateau Fringe Landscape Character Type as:

“Plateau Fringe is a variable, farmed landscape with a gently undulating topography of low rounded hills and narrow meandering river valleys of the Avon and Leam. The Plateau Fringe is characterised by its large arable fields and poorly defined field patterns, interspersed with pockets of permanent pasture, river meadowland and small hedged fields. Small, nucleated villages are a characteristic feature, comprising of loose clusters of dwellings and isolated, brick built farmsteads.”

- 6.27. However, the RBCLCA focusses on the Dunsmore LCA rather than the LT.
- 6.28. The table below sets out the characteristics of the Dunsmore Landscape Character Area, as set out within the RBCLCA (CD5.46 paragraph 6.2) and how the Appeal Scheme will impact upon them.

Table 4: How Appeal Scheme Will Impact upon Characteristics of Dunsmore LCA

Characteristics	How Impacted by Appeal Scheme
Soils: Light sandy soils and poorly drained clay loams support mixed farming and intensive large arable fields.	Soils are outside the scope of this evidence
Geology: Pleistocene gravel overlying the Jurassic and Triassic mudstone and limestone bedrock.	Geology is outside the scope of this evidence. However, the Appeal Scheme will not impact upon the geology.



Characteristics	How Impacted by Appeal Scheme
<p>Hydrology: Canals (Oxford Canal and Grand Union Canal) and the Draycote Reservoir provide important riparian habitats and recreational activities including fishing, walking, cycling, windsurfing and sailing. The River Avon, River Stour and River Leam feed the Draycote Reservoir which provides drinking water for communities within the Dunsmore and Feldon and Arden NCAs.</p>	<p>The Appeal Scheme will not impact upon the hydrology of the area.</p>
<p>Land cover/flora & fauna: Woodland cover is low, and primarily concentrated to the west, with areas of ancient woodland which support Bluebells (<i>Hyacinthoides non-scripta</i>), Molluscs (Mollusca) and Fritillary butterflies (<i>Argynnis</i>). The Princethorpe Woodlands are the most important cluster of ancient woodlands in Warwickshire and an outstanding example of a large area of semi-natural habitat. Priority habitats found within this LCA are listed in Table 6.1.</p>	<p>The Appeal Scheme will not result in the loss of any woodland, any offers the opportunity at Reserved Matters to introduce new areas of woodland and other wildlife habitat.</p>
<p>Landform: The Dunsmore Plateau stretches ten miles to the west of Rugby and reaches 120m AOD near Dunchurch.</p>	<p>The Appeal Scheme will not impact upon the landform.</p>
<p>Settlement: Settlements including Leamington Spa, Coventry and Rugby have a strong influence on the area, met with key transport infrastructure and large warehousing units. Traditional villages within the borough are constructed from local materials such as red brick and Lias limestone.</p>	<p>The influence of Rugby is apparent in the area. There is the opportunity to reinforce local vernacular, including materials, at Reserved Matters stages.</p>



Characteristics	How Impacted by Appeal Scheme
Land use: Predominantly nucleated settlement pattern with a low density of isolated farmsteads and barns. The landscape is intensively farmed.	The Appeal Scheme will form part of the settlement of Clifton upon Dunsmore.
Enclosure: The landscape features large fields with regular or rectilinear shapes, although some smaller fields also feature.	The Appeal Scheme will not result in the loss of field pattern or enclosure features.
Sounds: Key transport infrastructure, urban development and large warehousing units have a strong influence on the aural quality of Dunsmore.	The nearby infrastructure and development have an influence on the Site and the locality.
Sights: The landscape features arable fields alongside urban development	The Appeal Scheme will result in the change from an arable field to residential development and open space.

- 6.29. The Appeal Scheme will not impact upon the majority of the identified key characteristics of the Dunsmore LCA as set out within the RBCLCA (CD5.46), with the exception of the loss of a single arable field for residential development. The field is not a rare or protected feature and, as set out above, development is a characteristic feature of the area.
- 6.30. Against this context, at a localised-district level, and given the size of the wider Dunsmore Plateau Fringe LT where it overlaps with the LCA, it is judged that there will be a **small magnitude** of change at Year 1. There will be a partial loss of some ordinary features (the arable land, some scrub and very small number of trees), affecting a localised portion of the defined character, but the change will also incorporate landscape and biodiversity enhancements to the Appeal Site, which will be beneficial and permanent. The development will not introduce elements that are unduly prominent nor uncharacteristic at the settlement edge, thus resulting in a **minor adverse level of effect**. The characteristics as listed above will still be evident and the development will not change the understanding of the landscape in the local area.
- 6.31. The associated effects at Year 15, when considering the medium sensitivity of the landscape and the **small / negligible magnitude of change**, are assessed as being **minor / negligible adverse**.



When judged against the TG methodology (see Volume 2, Appendix 1), that would mean that the proposed development would cause minor permanent and/or temporary loss or alteration to one or more elements or features of the landscape, to include the introduction of elements that may not be uncharacteristic of the surrounding landscape.

- 6.32. When considering the overall impact upon Appeal Site itself, my assessment considers that the proposed development would result in a **large magnitude of change** and **major / moderate adverse effect at Year 1**. This would reduce to **large / medium magnitude** and **moderate adverse effects** overall at Year 15. The change would result in localised alterations to the existing baseline context, introducing development that I consider to be an appropriate response to the local character. There is the inevitable impact of developing any greenfield land, but to represent an unacceptable change towards the top of the harm hierarchy, the development as proposed would have to cause a highly noticeable change affecting most key characteristics and dominating the experience of the landscape. That is not the case.
- 6.33. The loss of one typical arable field and several ordinary landscape features as part of a moderate sensitivity, undesignated landscape that is already influenced by the surrounding settlement context, would not represent an unacceptable and unsympathetic change to the landscape character.

That the proposed development incorporates inappropriate landscape mitigation that doesn't respond to the 'Dunsmore Plateau Fringe' Landscape Type and it is not clear how the Illustrative Masterplan relates to the setting and how it mitigates the predicted adverse landscape and visual effects.

- 6.34. The Council's Statement of Case (CD 6.1) makes reference to the Dunsmore Plateau Fringe LT whereas the RBCLCA makes references and describes the Dunsmore LCA, with only a paragraph dedicated to the LT.
- 6.35. It is important to reiterate that para. 6.121 of the Council's Statement of Case confirms that:

"From an environmental objective the proposal will bring about environmental enhancements through the landscaped areas. Public open space would be delivered through the scheme. A biodiversity net gain would be secured. The scheme will deliver sustainable drainage systems (SuDS). These benefits hold moderate weight within the balance."



6.36. Also, this is only an outline application, so the full design details and approach to landscape mitigation can be agreed with the Council and enforced through the discharge of conditions.

6.37. As summarised in Section 3 of my evidence and extracted from para. 4.11 of the LVA, the main Landscape Strategy themes can be described as being:

- *“Retention of the existing landscape features, and where practicable bolster the existing landscape fabric including existing field hedge lines and trees which enclose the Site’s boundaries for visual mitigation, as well as the ecological amenity and habitat retention, as well as contribute to the structure of the landscape for the integration of the proposed scheme within.*
- *Locating the proposed residential development within the interior of the Site with green corridors running through to link with an extensive public open space, which would remain undeveloped;*
- *Further to this, the following measures have been introduced into the scheme to reduce the overall discernibility of the newly built form. Wide buffers to set development well within the site to enable a lower FFL for new development. New built form would be nestled below the wider context of the site i.e., the marginally rising landform beyond the Site boundary to the north and northwest.*
- *The site is of sufficient scale that it can integrate the scheme within green infrastructure of retained and bolstered landscape fabric, as well as new landscaping and habitat creation. The scheme which would be managed as natural and semi-natural green space, as well as providing areas of open space with an attenuation basin (lower southeastern portion of the Site).*
- *Develop a walkable, pedestrian-friendly environment with extensive green corridors which interlink with the wider village and provide connectivity to the nearby Public Rights of Way into the open countryside.*
- *The addition of hedgerow, and new tree planting includes locally characteristic orchard planting within the Site and to the Site’s boundaries to afford enhancement to the existing landscape fabric, and arboricultural continuity for the long-term establishment of tree planting within the proposed scheme.*



- *Through these landscape measures – retaining and bolstering the existing features and enhancing with new landscaping – to enable a similar experience of entering and leaving the village along Rugby Road, and a similar experience when viewing the Site from the south, and on approaching the village along Hillmorton Lane to the east – therefore, the scheme seeks to preserve the existing landscape structure of these green fields and it bolstering its existing landscape fabric. This is aided by deliberately setting new built form into the Site area beyond extensive green buffers to the built form.*
- *Provision of native hedging and ornamental planting to the new housing plots within the development.*
- *Ensuring the proposed dwellings respect the local built character including the layout, height and scale of buildings.”*

6.38. When looking for advice on how to provide an appropriate landscape mitigation response for the Dunsmore Plateau Fringe LT / Dunsmore LCA, one must rely on the Council’s Landscape Character Assessment (the RBCLCA) (CD5.46). Whilst the document doesn’t specifically offer any advice on ‘mitigation’, it does set out a series of ‘landscape guidelines’ at para. 6.61. As set out above, those guidelines relate to the Dunsmore LCA and there is no guidance or more detailed advice for the Dunsmore Plateau LT within which the Appeal Site sits.

6.39. It should be noted that the guidelines do not provide any recommendations for how landscape character and landscape mitigation measures should be approached in relation to the delivery of development. They are written purely from a landscape management perspective.

6.40. I respond to the relevance of those landscape guidelines in this case and my interpretation of how the proposed development has addressed the objectives, taking each in turn.

Protect hedgerows and hedgerow trees, many of which are Oak trees (Quercus robur).

6.41. As already established in my evidence, the submitted Arboricultural Impact Assessment CD1.40) and the Preliminary Ecological Appraisal (CD1.45), confirm the presence of boundary hedgerows, which are of moderate quality and have been intensively managed. Some sections have also become gappy over time. Likewise, there are approximately 35 trees associated with the boundary hedgerows and some internal tree groups associated with the Site’s entrance at Rugby Road.



- 6.42. The Site's principal tree actually lies off-site, comprising a single Veteran Ash tree (T31) set to the south. The Ash tree is accordingly afforded Category A within BS5837:2012 guidance, and a development buffer is provided in line with Natural England/Forestry Commission Standing Advice.
- 6.43. There is a moderate quality (Category B) Ash on the eastern boundary to be retained and, a line of trees on the northern boundary with Clifton Recreation Ground, comprising Category B and C Sycamore, Beech, Ash, Edler, Horse Chestnut and Maple, also to be retained.
- 6.44. Para. 1.3.5 of the Arboricultural Impact Assessment confirmed that:

“The remaining trees, groups and hedges are of low arboricultural quality and significance and typically represent unremarkable, less well established examples of their type, warranting category C only within best practice recommendations.”

- 6.45. The survey contained four trees that were either dead, or of particularly reduced physiological or structural condition such that their retention (regardless of development) is not recommended. The dead trees are T26 and T27 Elm; T1 Ash is of hazardous structural condition; whilst a Norway Spruce (T49) is of particularly poor physiological condition.
- 6.46. Overall, the proposed development will result in the loss of an area of scrub that is dominated by non-native species, three Hawthorn trees (Category C as assessed in the Arboricultural Impact Assessment (CD1.40) and one early-mature Lime tree that is located just off-Site (Category B).
- 6.47. But all other boundary trees and hedgerows are to be retained, protected, supplemented and managed as part of the proposed development, in accordance with the landscape guideline's objective.

Maintaining and enhancing the enclosed wooded character of the landscape. This is especially important in Dunsmore Parklands which is generally in decline.

- 6.48. As can be seen from aerial photography and Viewpoints 4, 5, 6 and 7 (see Volume 2, Appendix 6), the Appeal Site and surrounding area doesn't have a wooded character. However, the hedgerows with trees delineating the field boundaries do provide a sense of enclosure.
- 6.49. The guidelines themselves recognise that it is especially important to maintain and enhance the enclosed wooded character within the Dunsmore Parklands LCT to the north of the Dunsmore Landscape Character Area, rather than the Dunsmore Plateau Fringe, which is characterised by



its large arable fields and poorly defined field patterns, interspersed with pockets of permanent pasture, river meadowland and small hedged fields.

- 6.50. The proposed Parameters Plan (CD1.31), the Illustrative Masterplan (CD1.34 page 31) and the Landscape Strategy (CD1.7) objectives as set out above, clearly seek to maintain and enhance the vegetated boundaries of the Appeal Site, helping to safeguard and improve the sense of landscape enclosure as sought by this guideline objective.

Maintaining and enhancing the distinctive character of the landscape. This is especially important in Plateau Farmlands where a large area between Cawston Spinney and the Coventry Road is in decline.

- 6.51. My evidence has established that a typical arable field as a small component part of a much wider landscape is not a significant landscape feature, and the loss of that to built development, resulting in a minor adverse effect, would not result in harm to the distinctive character of the surrounding landscape.
- 6.52. The guidelines draw specific focus towards Plateau Farmlands LCT, and the notable decline in the large area of landscape between Cawston Spinney and the Coventry Road, but the Appeal Site is not located in that LT. In my opinion and based on the ecology work submitted for the planning application, the Appeal Site has clear potential for enhancement based on the current condition of the boundary features.

Enhance the structure and key features of the farmed landscape. This is especially important in the Plateau Fringe which is generally in decline.

- 6.53. This corresponds with my assessment findings that the Dunsmore Plateau Fringe LT / Dunsmore LCA isn't in a good condition, and it can be enhanced through sensitive development.
- 6.54. As set out in the Council's Landscape Character Assessment, the undulating arable landscape isn't a key distinctive feature in its own right; however, there is an ability to retain, enhance and manage the boundary hedgerows and trees.
- 6.55. Through the provision of development parameters that allow scope for the protection of the boundary structure, including enhancement of hedgerows and associated trees, the objectives of this guideline can be satisfied.



Planting of woodlands should be encouraged where appropriate. The mosaic of habitats including woodlands, hedgerows and heathlands, alongside the sustainable management of agricultural land will enhance the character of the landscape.

- 6.56. Whilst woodland planting is encouraged, it is not essential and is only required where deemed appropriate. As noted above, the Appeal Site and surrounding portion of the Dunsmore Plateau Fringe LCT is not heavily wooded, with the sense of enclosure created by the layers of tree-lined hedgerows.
- 6.57. So, as proposed, retention and strengthening of those boundary features and the incorporation of additional planting as indicated on the Illustrative Masterplan would contribute towards the mosaic of habitats and be considered to enhance the character of the landscape.
- 6.58. If further woodland planting is requested by the Council, that can be agreed at a Reserved Matters stage and controlled through conditions and the submission of detailed planting plans.

Protect and manage Draycote Reservoir and the network of canals and rivers to enhance biodiversity, water quality and for their contribution to recreation, sense of place and geodiversity.

- 6.59. This objective has no direct relevance to the Appeal Site, as it has no direct relationship with those named waterbodies or Blue Infrastructure features.
- 6.60. However, as set out on page 25 of the DAS (CD1.34), the use of Sustainable Drainage Systems (SuDS) ensures effective water management. Overall, these initiatives contribute to ensuring a resilient and sustainable future for the community.

Protect and manage the historic character and settlement pattern, including the deserted settlements, ancient settlements, veteran trees, farmsteads, country houses and landscaped parklands. This will enhance the educational and recreational experience for urban and rural communities.

- 6.61. As already established, there is no heritage objection from the Council and no impact upon Clifton upon Dunsmore Conservation Area. The appeal Site does not relate to deserted settlements, ancient settlements, historic farmsteads, a country house or landscaped parkland.



- 6.62. This guideline is of limited relevance but does help to demonstrate the intrinsic landscape features of value that do require protecting and managing across the wider Dunsmore LCA.

Enhance the character of settlements in accordance with the landscape through improved design standards. Increased development and property improvements from population change and increased affluence is having an urbanising impact on settlements and dwellings.

- 6.63. This guideline acknowledges that the character of settlements can be enhanced through improved design standards. Development per se doesn't have to harm the character of landscape if it is done well.
- 6.64. As an outline development that safeguards approximately 47.5% of the Site for boundary retention and enhancement, through the provision of a framework of Green and Blue Infrastructure and, POS provision, the standard of which can be controlled at a Reserved Matters stage, through adherence to conditions and the submission of detailed planting plans.
- 6.65. In terms of the effectiveness of the proposed mitigation planting, it is important to note that there is no requirement within the Local Plan policies, the NPPF or the Council's Landscape Character Assessment to ensure that such planting screens views towards development.
- 6.66. The visible settlement edge is a documented feature and characteristic of the local landscape, so the approach taken by the Appellant is to provide a mitigation approach and Landscape Strategy that seeks to safeguard and improve the sense of landscape enclosure as sought by the Council's guidelines, through the retention and strengthening of boundary features. With proposed planting, that will be a consistent and effective way of further contributing towards the mosaic of habitats and be considered to enhance the character of the landscape.
- 6.67. Overall, based on the Council's own evidence base, the proposed development incorporates appropriate landscape mitigation measures to respond to the Dunsmore Plateau Fringe LT and Dunsmore LCA. The Landscape Character Assessment does not seek to restrict residential development and does not provide any recommendations for the integration of built development; however, it does highlight key sensitivities, features and landscape attributes that require consideration beyond the confines of the Appeal Site.



- 6.68. The proposed planting has now been illustrated at Year 1 and Year 15 upon the fifteen, Type 3 visualisations produced by HCUK Group. They are based on winter photography (see Volume 2, Appendix 6).
- 6.69. If we take Viewpoint 5 as a worst-case example, which is a view looking west from the PRoW (LPA ref: 154/R116/1), some 440 metres to the east of the Appeal Site boundary, it is possible to see the proposed residential development at the centre of the view and, glimpsed views to farm buildings and the settlement edge of Clifton upon Dunsmore, associated with South Road. Existing hedgerows and scattered trees provide some layering and filtering of the lower stories of the proposed development.



Insert TG 15: Viewpoint 5 with unmitigated masterplan (extract from Volume 2, Appendix 6)

- 6.70. The proposed boundary planting by Year 15 can be seen to filter views of the upper storeys of the indicative dwellings, with the roofscape still visible. That visibility would be further reduced in the summer months, as the proposed mitigation would connect with the surrounding hedgerow features, to conceal most of the development from view. In any case, the proposed development appears as a very narrow band of development in a much wider scene, with the foreground undulating arable land remaining intact.



Insert TG 16: Viewpoint 5 with Year 15 winter planting (extract from Volume 2, Appendix 6)



- 6.71. In closer proximity, the effectiveness of the mitigation planting can also be seen in Viewpoint 11, which is a view looking north from the PRow associated with the Oxford Canal (National Trail), some 180 metres from the southern boundary of the Site. Approximately 13 of the proposed indicative residential properties are visible from this location, partly screened by the existing vegetation associated with the Oxford Canal corridor.



Insert TG 17: Viewpoint 11 with unmitigated masterplan (extract from Volume 2, Appendix 6)

- 6.72. The proposed planting reinforces the existing liner hedgerow features and by Year 15, creating a softened view towards the development elevations, with glimpsed views towards some of the buildings and associated roofscape. The development will be largely concealed from view during the summer months.



Insert TG 18: Viewpoint 11 with Year 15 winter planting (extract from Volume 2, Appendix 6)

- 6.73. The LCA does not define the extent of buffer planting required, the need for certain depths of planting nor a requirement to screen development in order to protect the character of the landscape, and nor should it. The visualisations and my evidence reinforce both the appropriateness and effective of the proposed indicative landscape mitigation that has been suggested.
- 6.74. It remains unclear as to what approach is “*unacceptable*” to Council, given the outline nature of the planning application and the ability to control detailed landscape design proposals through conditions and the Reserved Matters process.



The introduction of the proposed development would expand the village towards Rugby town and would not guard against the potential coalescence between settlements. Development would diminish the degree of actual and perceived separation which could have a significant adverse impact on the identity and distinctiveness of Clifton upon Dunsmore

6.75. It is important to understand the context in relation to the concept of ‘separation’ and the historic policy context. Areas of Separation were dropped from the previous Local Plan adopted in 2011 and were not included in the current adopted Local Plan in 2019. The previous policy support for their inclusion in the 1990’s was via the then Warwickshire Structure Plan. That support no longer exists, and there is no support in the NPPF for the inclusion of local landscape designations such as ‘Areas of Separation’.

6.76. However, within the evidence base for the emerging Local Plan, the Council have published an ‘Area of Separation Study Report – November 2025 (CD5.45). Para. 3.4 of the study confirms that:

“No national guidance exists for assessing areas of separation, and no such studies have been undertaken for the Borough in recent history that can be reproduced and updated. Therefore, the methodology used here draws upon studies that have been produced for other local authorities.”

6.77. The Area of Separation Study Report is not all-encompassing, as para. 3.8 confirms that a focus has been places on areas that are perceived to be under greater development pressure:

“areas have been excluded from the study as they are not typically under the same level of development pressure as areas in the vicinity of the town, and therefore the risk of coalescence is deemed to be lower.”

6.78. As noted above, the purpose Policy NE3 (as set out at para. 9.15 of the Local Plan) is to ensure that significant landscape features are protected and enhanced and that landscape design is a key component in the design of new development. However, the final bullet-point of the policy also requires that development will be required to demonstrate that they:

- “Are sensitive to an area’s capacity to change, acknowledge cumulative effects and guard against the potential for coalescence between existing settlements.” (my emphasis)



- 6.79. It is agreed that the landscape in this location is not designated and of medium sensitivity to change; and no cumulative effects were identified by the Council during the pre-application process. Indeed, the EIA screening response received on the 14th March 2025, confirmed that the Site was not in a sensitive area and development proposed is not likely to have significant effects on the environment. No cumulative assessment has ever been requested by the Council.
- 6.80. It would appear that the last bullet-point of Policy NE3 is seeking to avoid coalescence and retain the separate identity of settlements, rather than *“recognising the intrinsic character and beauty of the countryside”* as set out at para. 187(b) of the NPPF. In my opinion, Policy NE3 is overly restrictive, as it is trying to apply a similar test to that of the Green Belt ‘Purpose B’. It results in there being very limited scope for development, even when there might be sustainable, well-designed proposals that cause minimal harm to the landscape character, such as in this case.
- 6.81. If the Inspector decides that the ‘coalescence’ component of Policy NE3 is drafted in full accordance with the NPPF, it is still important to note that within the Areas of Separation Report (2025), there are a number of flaws in the evidence base, which significantly diminish its findings and relevance.
- 6.82. The evaluation is based on three aspects:
- Settlement Identity;
 - Physical & Visual Separation; and
 - Urbanising Influences.
- 6.83. In relation to ‘Settlement Identity’, there is no reference or a list of criterion by which to assess the *“identify and distinctiveness of settlements”*. There is only an assertion that the evaluation of settlement *“primarily relies upon information drawn from conservation appraisals and parish or neighbourhood”* (see para. 5.6 of the Separation Study Report). As a result, it is considered that the approach adopted lacks clarity and transparency and does not provide a criterion for an independent assessment.
- 6.84. The study does list a criterion by which land within an assessment area is deemed to make a *“stronger contribution”* to settlement identity. These are defined as:
- *“It is an important part of a settlement’s setting;*
 - *It features prominently in the views to and from the settlement;*



- *It provides a clear sense of arrival to or departure from the settlement; or,*
- *It contributes positively to a conservation area.”*

- 6.85. However, this approach again lacks transparency and a scoring mechanism for examination. How did the Council, or an independent assessor, define less than a ‘stronger contribution’?
- 6.86. Furthermore, there is no evidence or clarity on settlement ‘setting’ and what features contribute to it being considered ‘important’; and, most land next to settlement will be visible, so how has ‘predominantly been defined and applied?
- 6.87. Likewise, there is no methodology to help determine what features and attributes “*contribute to a clear sense of arrival to or departure from the settlement*”. What routes have been considered? Roads and public footpaths?
- 6.88. In this case, the Appeal Site is inevitably within the setting of both Clifton upon Dunsmore and Rugby, and that influence is set out within the Appellant’s LVA, this evidence and the Council’s own Sensitivity Assessment. But it is not defined as ‘important’ within any of those assessments. The Site and the immediately surrounding landscape are an ordinary undesignated landscape, of ‘medium’ or ‘ordinary’ value, with capacity to absorb characteristic change at the expanding settlement edge.
- 6.89. Views from the settlement edge are typical and there is no evidence to suggest otherwise. The Council’s own Landscape Sensitivity Study (see page 109, CD5.47), states that:
- “Long-distance views are possible where gaps in the hedgerows and trees occur, providing glimpses of the surrounding landscape. However, a strong sense of enclosure prevails due to the dense hedgerows and trees that line the path, coupled with the gently undulating topography.”*
- 6.90. There is limited public access to the surrounding landscape and the Appeal Site itself is private. The main sense of arrival and departure from the settlement of Clifton upon Dunsmore is via Rugby Road. The development of the Appeal Site will not change that context.
- 6.91. In relation to ‘Physical & Visual Separation’, land within an assessment area is deemed to make a stronger contribution to the separation of settlements where:
- *“It contributes to a broad gap between settlements;*



- *It has land cover or a topography which restricts intervisibility between the settlements;*
- *It has a clear physical feature that marks the settlement edge; or,*
- *It does not contain direct vehicular links between settlements.”*

6.92. There are no definition or criteria to determine what represents a “*broad gap*” in terms of distance or visual characteristics; and it is deemed to make a stronger contribution if the land has features or topography which restricts intervisibility between settlements. From my experience, coalescence is generally increased by greater intervisibility between settlements, as visibility increases awareness.

6.93. Again, there is no definition of what represents a “*clear physical feature*”, but in this case the edge of Clifton upon Dunsmore is typical, in that its boundaries are formed by rear gardens and, the boundary in Rugby is defined by a railway line.

6.94. In this Case, the landscape does contain direct vehicular links between Clifton upon Dunsmore and Rugby, in the form of Rugby Road to the West and Hillmorton Lane to the east.

6.95. Finally, in relation to ‘Urbanising Influences’, the Area of Separation Study Report, the landscape is deemed to make a stronger contribution to settlement separation where:

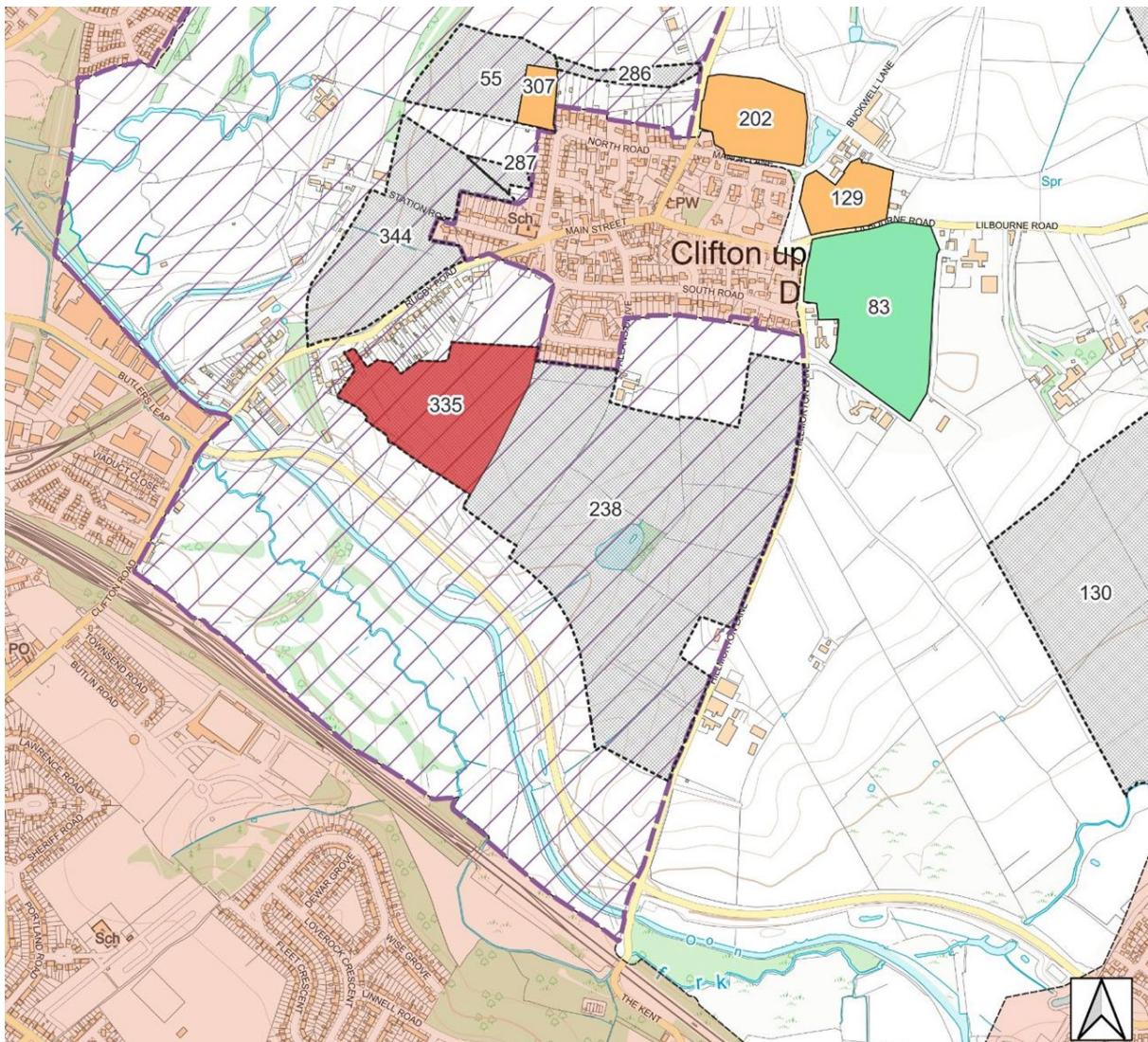
- *“It lacks any development, or the development which exists is rural in character;*
- *It lacks infrastructure associated with human activity; or,*
- *It has natural or semi-natural land uses, such as woodland or wetlands.”*

6.96. Beyond the established settlement edge, the broad categories for ‘urbanising influences’ would appear to categorise most countryside as making a “*stronger contribution*”.

6.97. However, for the Appeal Site and the immediately surrounding area as located in the Council’s study, the gap does contain the linear ribbon development along Rugby Road. Also, agricultural infrastructure and Houlton Way are described as man-made features within the Council’s own Landscape Sensitivity Study (see page 109, CD5.47). Furthermore, the landscape contains very few semi-natural features and has a lower occurrence of woodland.

6.98. The Separation Study Report sets out a Site-specific comments on ‘Land East of Rugby Road, Clifton upon Dunsmore’, referred to as ‘Site ID 238/335’ (see Insert TG 19).





Insert TG 19: Extract of the Council's Separation Study Report (November 2025)

- 6.99. Adjoining the western boundary of the Appeal Site is Rugby Road, and the study confirms at para. 6.15 that:

“The ribbon development along Rugby Road has a clear urbanising influence. This is strongest closer to Rugby where there is development on both sides of the road, including terraced houses that are not dissimilar to those found in parts of the town.”

- 6.100. Para. 6.18 sets out the key characteristics of the settlement gap:

“The gap between Rugby and Clifton upon Dunsmore is relatively strong in all areas except for the area of ribbon development along the Rugby Road. The following features are important in retaining a sense of separation between the two settlements:



- *The undeveloped river valley which lays between the west of the village and the east of the town, extensive views of which can be seen from Rugby Road and which acts to provide a sense of travelling through the countryside on the approach to Clifton upon Dunsmore.*
- *The undeveloped farmland which lays between the south of the village and the north of the town as seen from Hillmorton Lane and Houlton Way, which helps to retain the rural character of the settlement gap.*
- *Mature tree cover on the edge of the town which limits views of Clifton upon Dunsmore from the residential area around Staveley Way.*
- *The disused railway line and mature trees that accompany it to the west of the village, which act as a feature of physical separation.”*

6.101. Of those key characteristics, only bullet point 2 relates to the Appeal Site.

6.102. Then, para. 6.22 confirms that:

“The development of site 335 (which is a smaller part of 238) would have a less substantial impact, but would still draw the two settlements physically closer and diminish the visual separation achieved by views to the south from the village recreation ground.”

6.103. Based on the above analysis, I now respond to the main points of objection from the Council’s Arboricultural Officer and the Council’s Statement of Case.

The appeal development on the sloping ground between the village and Rugby would significantly compromise the integrity of the historic nucleated settlement pattern. This would be further compounded by the fact that the development would effectively merge the village with the currently distinct ribbon development to Rugby Road.

6.104. The nucleated and historic core of Clifton-upon-Dunsmore has been well maintained according to the Council’s Separation Area Study Report (CD5.45). However, the outer areas of the village have already been compromised by the later expansions. Para. 6.8 notes:

“Outside of the conservation area there are several more modern sections of the village, including the residential areas along North Road (to the north) and South Road (to the south) which were mostly built-out in the mid-20th century, and the area comprising Hadfield Close



and Son Close to the northeast which was constructed on part of the grounds of Clifton Manor in the 1980s. As a result of this modern development, there only remains limited inter-visibility between the Conservation Area and the open countryside that lays within the assessment area, namely views from South Road looking South beyond the recreation ground, and glimpses of countryside looking down Rugby Road and Station Road.”

- 6.105. With the limited inter-visibility and existing village context, the proposed development would not alter the experience and understanding of the historic nucleated core and, given that the study acknowledges that the ribbon development along Rugby Road has a clear urbanising influence, it seems a perfectly logical zone within which to locate additional characteristic development. The residential development in this location already physically and visually connects the two areas of settlement.

The valued character and identities of the Borough’s villages are derived, at least in part, from the degree to which they are physically and visually separated from the town. Development within areas that could diminish this degree of separation or contribute to the eventual coalescence of settlements shall be guarded against as it would diminish the degree of actual and perceived separation which could have a significant adverse impact on the identity and distinctiveness of Clifton upon Dunsmore.

- 6.106. As set out above, there is already a physical and visual connection between Rugby and Clifton upon Dunsmore in association with Rugby Road, but the Council are not stating that the distinct characteristics of either settlement have been unduly harmed to-date.
- 6.107. Development of the Appeal Site by the Council’s own judgement, would have a less substantial impact, but would still draw the two settlements physically closer and diminish the visual separation achieved by views to the south from the village recreation ground. As we can see from Viewpoint 1, from Clifton Recreation Ground (see Volume 2, Appendix 6), the outlook when looking south towards Rugby would change, as would the view north when looking from a short section of Houlton Way (see Viewpoint 17); however, in terms of the perception of the gap diminishing from the east, from users of PRow (ref: 154/R116/1) and Hillmorton Lane (Viewpoints 4, 5, 6 and 7), the intervening expanse of arable land remains intact and there is clear visual separation retains within those scenes.



6.108. Likewise, from the west (Viewpoints 14, 15 and 16), the proposed development would have no perceptible impact on the physical and visual separation between Rugby and Clifton upon Dunsmore. In fact, the views east from Rugby Road and Station Road, at the edge of Clifton upon Dunsmore, will maintain a clear appreciation of the existing gap and the sloping agricultural landscape that separates the village from Rugby.

The introduction of the proposed development would expand the village towards Rugby town and would not guard against the potential coalescence between settlements as required by Policy NE3 of the Local Plan and Policy DSC1 which require all development to respond to the character of the areas in which they are situated.

6.109. There are very limited public locations within Rugby to appreciate the existing gap with Clifton upon Dunsmore (see Volume 2, Appendix 6, Viewpoints 12 and 13). The topography, extent of built form and vegetation coverage restrict such views.

6.110. A view north towards Clifton upon Dunsmore is visible from within the south-west corner of the defined Area of Separation, in association with the Rugby Golf Club clubhouse (see Viewpoint 18). From this elevated location, the majority of the visible gap is in the foreground and the middle-distance. Buildings interspersed by vegetation are visible on the skyline as a backdrop to the view. As can be seen from the visualisation, the proposed indicative development would appear as a narrow band towards the top of the slope, it would not break the skyline and would be seen in the context of the existing visible buildings. Development would be brought slightly closer to the viewer, the main visible gap and associated features (the golf course, the vegetated Clifton Brook, the Oxford Canal corridor and the Houlton Way) will prevail in that view.

6.111. Furthermore, the distance of the functioning gap to the west of Clifton upon Dunsmore (between Rugby Road and the Staveley Way development) is approximately 710 metres at present. The remaining gap between (north to south) between Rugby and Clifton upon Dunsmore, should the Appeal Site be developed (based on the Parameters Plan), would be approximately 630 metres. Width of gap has not been defined as a determining feature, and with much variation already apparent, it is my opinion that a retained gap of 630 metres would still be sufficient to safeguard the individual character of both Rugby and Clifton upon Dunsmore.

6.112. The Council's RfR no. 2 and their Statement of Case refer to Policy SDC1: Sustainable Design (see CD6.1) when considering the Areas of Separation. It is clearly a design policy and has no



obvious interplay with a need to keep settlements apart. Its wording is clear, in that factors such as massing, density, height, landscaping, layout, materials and access should also be a key consideration in the determination of planning applications. Such matters in this case, as an outline planning application, can be agreed at a Reserved Matters stage and controlled through conditions and the submission of detailed design information. Policy SDC1 is not a strategic policy that aims to direct or restrict the location of development nor does it set out to test the harm arising from development upon the intrinsic character of the countryside.

The impact on views, particularly those from Clifford Recreation Ground. The Council’s Statement of Case concludes that the proposals will impact significantly and truncate this important view from Clifton Recreation Ground in reference to ‘Important View 9’ of the Clifton upon Dunsmore Neighbourhood Plan and Policy ENV7

6.113. As set out at para. 6.15, of the Council’s Statement of Case, *“the Neighbourhood Plan holds limited weight due to its current stage of preparation”*.

6.114. Also, significant criticism has been provided by the Independent Examiner, Dr. Louise Brooke-Smith (see CD5.60), in her examination of the Neighbourhood Plan, particularly with reference to NP Policy ENV7 and ‘Important Views’. At para. 5.3.96, the Examiner notes that:

“While I generally endorse the positions identified as being of value, I have concerns as to the robustness of the evidence and the overall validity of the policy in that it could be used to reject any form of development across a wide range of locations.”

6.115. At para. 5.3.97, the Examiner continues:

“I have specific concern over the ambiguity and lack of justification supporting the following proposed ‘protected views’ as set out in Appendix 5. As presented, this simply comprises a set of photographs and a very brief description.”

6.116. Finally, at para. 5.3.99, the Examiner concludes that to adequately support sustainable development and to be compliant, Policy ENV7 requires re-wording:

“If Policy ENV7 remains in the NP without modification, it would prove frustrating to all parties. Hence, to enable future sustainable development to take place and to not unnecessarily



hinder future development proposals, but to acknowledge the stance of the NP and the evidence supporting it, the first paragraph should be modified to read;

The following views (Figure 11, details Appendix 5) are important to the setting and character of both Clifton upon Dunsmore and Houlton. Development proposals should respect them. Development proposals which could have a significant adverse visual harm on the identified views will be required to explain the need for and benefits arising from development in that location and that appropriate mitigation can take place and/or relevant planning conditions be applied, to address any impact.”

6.117. The validity and accuracy of the Neighbourhood Plan has also been challenged by other parties, including Mr. Nigel Wakefield of Node, who was instructed by Savills in October 2025 to undertake a review of the Neighbourhood Plan and the land owned by the Archdiocese of Birmingham. That land was opposite the Appeal Site, off Rugby Road and Station Road.

6.118. On PDF page 11 of the Node review of the ‘Neighbourhood Plan Viewpoints’, Mr. Wakefield confirms that:

“Furthermore, it is not clear what constitutes an important view, nor what criteria have been used as to the receptor group that could be affected and the sensitivity of that view. Greater clarity is required on what establishes specific viewpoints as important.”

6.119. With regards to ‘potential mitigation’, Mr. Wakefield concludes on PDF page 14, that:

“It is suggested that the Neighbourhood Plan could acknowledge concerns about views across the River Avon valley and the rural setting of Clifton upon Dunsmore, which could be mitigated through careful design including the following:

1) Providing viewing corridors across potential development sites that allow longer distance views of the river Avon Valley to be maintained

2) Provision of offset of development and mitigation from both the River Avon and close to Clifton Upon Dunsmore to allow landscape character and views to be maintained with development screened by mitigation planting”

6.120. This response is clear, in that design solutions such as viewing corridors, development offsets and the provision of mitigation planting would be suitable to respond views identified in the Neighbourhood Plan.



- 6.121. Policy points aside, the submitted LVA and my evidence has considered the impact on views from the Clifton Recreation Ground. It is an area of mown amenity grassland set out as pitches, with a small skate park, some hard surfaced tennis courts on the south-west corner and an area of formal children's play provision to the north. A number of benches can be found throughout and the north, eastern and western edges are flanked by residential development and linear belts of tree planting (see Volume 2, Appendix 6, Viewpoints 1 and 2).
- 6.122. Users of the recreation fields are predominantly involved in sport, but for walkers it is acknowledged that views south are available, across the Appeal Site towards Rugby (see Viewpoint 1). The LVA (CD1.35) assessed users of the recreation ground as of medium sensitivity to change. This is a fair assessment based upon the lack of landscape designations but acknowledging the identification of the view in the CUDNP (CD5.27), set against the likely activity of the receptor group.



Insert TG 20: Viewpoint 1 from the LVA (Volume 2 Appendix X) - equivalent to viewpoint 9 from the CUDNP.

- 6.123. The LVA assessed the magnitude of change at Year 1 as being high, but overall effects as being medium. My own assessment in Volume 2, Appendix 4 assesses effects on this view as being large magnitude, result in **major / moderate adverse effects** at Year 1, reducing to **medium magnitude** at Year 15 and **moderate adverse effects**. I would assess this effect as being on the medium side of large magnitude. This reflects the 'major alternation' to elements of the baseline view, i.e. the loss of a longer distance view across the Site, although taking into account the localised extent of the effect. Although mitigation and detailed design would improve the view, it would remain at least at a moderate adverse level of effect due to the obstruction of the view.
- 6.124. The Appeal Scheme will result in changes to 'Important View 9' as identified within the CUDNP. However, the Examiner has been clear in their concerns regarding the use of the identified views to prevent development. Furthermore, as identified by other Landscape Architects, there is no clear definition as to why the views were identified or what elevates them above the norm.



6.125. It has also been agreed with the Council that the intervening area between the Clifton Recreation Ground and the proposed housing development will contain an area of additional public open space provision (POS). An indicative layout is shown on the 'POS Typologies Plan', which is included with the S106 document. This includes formal provision for children and young people, as well as outdoor sports provision including new tennis courts. The location of these facilities has been considered within the above assessment of effects.



Section 7: Compliance with Policy

7.1. This section of my evidence deals with the landscape policy context, and those policies specifically identified with the Council's case. As stated previously, in respect of the wider policy context, compliance and overall planning balance, I defer to the evidence and expertise of Mr. Stephens of Marrons.

7.2. The Council's SoC set out the policies with which they consider the Appeal Scheme does not adhere to, as set out below:

- National Planning Policy Framework (CD5.32):
 - Paragraph 135c.
- Adopted Rugby Local Plan (CD5.1):
 - Policy NE2: Strategic Green and Blue Infrastructure
 - Policy NE3: Landscape Protection and Enhancement;
 - Policy SDC1: Sustainable Design.
- Emerging Rugby Local Plan (2025-2042) (CD5.25):
 - Policy EN4: Areas of Separation
- Emerging Clifton upon Dunsmore Neighbourhood Plan (CD5.27):
 - Policy ENV5: Important Views.

7.3. I deal with each in-turn below.

National Planning Policy Framework (CD5.32)

Paragraph 135(c)

7.4. The Council's Statement of Case refers to para. 135(c) of the NPPF (CD5.32), which requires planning policies and decisions to ensure that developments:



“are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”

- 7.5. Para. 135(c) falls within Section 12 of the NPPF which focuses on design rather than the consideration of achieving sustainable development (Section 2 of the NPPF) or making effective use of land (Section 11 of the NPPF). Section 15 then goes on to deal with conserving and enhancing the natural environment.
- 7.6. Heritage is not an RfR and would be outside the scope of this evidence in any case, and therefore the relevant parts of the policy are in relevance to sympathy to local character, including the surrounding built environment and landscape setting, noting that this should not prevent or discourage change.
- 7.7. The Appeal Scheme has been shown to have no effects on the key characteristics of the Dunsmore Plateau Fringe LCA with the exception of the change from an unremarkable arable field to residential development and open space. Any effects will be localised in extent to the near vicinity. Any greenfield development in this area would likely have similar adverse effects.
- 7.8. The Appeal Scheme will create new areas of beneficial open space and wildlife habitat, as well as the retention and enhancement of the majority of landscape boundary features within the Site. Although the Appeal Scheme will result in the change to a small area of the landscape, it will have a limited effect on the wider character and will not result in the introduction of incongruous features.
- 7.9. In accordance with para. 135(c) of the NPPF, it is my opinion that the Appeal Scheme is sympathetic to local character, include the surrounding built environment and setting.

Adopted Rugby Local Plan (CD5.1)

Policy NE2: Strategic Green and Blue Infrastructure

- 7.10. The policy is set out in an informative approach rather than a compliance requirement, as it sets out the Council’s desire to *“work with partners towards the creation of a comprehensive Borough wide Strategic Green and Blue Infrastructure Network which is inclusive of the Princethorpe Woodland Biodiversity Opportunity Areas (also known as the Princethorpe Woodlands Living Landscape), as shown on the Green and Blue Infrastructure Policies Map”*.



- 7.11. It also states that “*Where appropriate new developments must provide suitable Green and Blue Infrastructure corridors throughout the development and link into adjacent strategic and local Green and Blue Infrastructure networks or assets where present.*”
- 7.12. However, at para. 9.13, the accompanying policy text also notes that “*The Council realises that opportunities for delivery against Policy NE2 through planning applications are limited*”.
- 7.13. In this case, and as requested by the Council, I have produced a series of three plans (Volume 2, Appendix 8), which include:
- Plan TG2: Existing Green Infrastructure Context and Connections;
 - Plan TG3: Green Infrastructure Features and Assets; and
 - Plan TG4: Green Infrastructure Framework Connections.
- 7.14. In my opinion, this clearly illustrates an analysis and understanding of the surrounding Green and Blue Infrastructure context and then provides a beneficial framework of potential Green Infrastructure corridors and connections throughout the Site (in association with the submitted Illustrative Masterplan), to protect, restore and enhance existing assets within the network shown on the Proposals Map.

Policy NE3: Landscape Protection and Enhancement

- 7.15. The Council’s objection is based on the loss of the agricultural character of the Appeal Site, but that approach is incorrect. Policy NE3 (see **CD X**) helps us to demonstrate that, as para. 9.15 of the Local Plan clearly states:

“The purpose of Policy NE3 is to ensure that significant landscape features are protected and enhanced and that landscape design is a key component in the design of new development. Planning applications will be required to submit a landscape analysis and management plan in appropriate cases.” (my emphasis)

- 7.16. A single, and typical arable field as a small component part of a much wider landscape is not a “*significant landscape feature*”. If that approach were applied, it would elevate and equalise the status of all of the wider Dunsmore Landscape Character Area and the Dunsmore Plateau Fringe Landscape Character Type. The Landscape Character Assessment helps us to locate portions of the LCA and LCT that do contain more sensitive and significant landscape features, for example,



Brandon Marsh SSSI, Coombe Abbey (a designated as a Country Park and Registered Park and Garden), St Margaret's Church and the 13th Century standing and buried remains of Brandon Castle.

- 7.17. As an outline application, there is a need to understand and respect local character and heritage significance. However, my evidence has already established that the proposed development is sympathetic to the local landscape, and the Council's own Landscape Sensitivity Assessment (CD5.47) confirms that the Appeal Site is positioned at the urban fringe and is characterised by settlement. From a heritage perspective, it is agreed that there is a neutral impact upon the setting and significance of the Clifton upon Dunsmore Conservation Area, the proposed development would comply with Chapter 16 of the NPPF and Policy SDC3 of the Local Plan in relation to Conservation Areas.
- 7.18. The purpose of a Design and Access Statement (DAS), is to set clear, flexible design principles to guide a sympathetic development response. Section 4.0 (CD1.34) of the submitted DAS sets out those placemaking principles and the design evolution. Page 26 confirms that:
- “The design approach has evolved to prioritise sustainability and a strong sense of community, shaped by the site's physical and environmental constraints.”*
- 7.19. In terms of a commitment to innovation, page 4 of the DAS confirms that the proposals aim to deliver energy-efficient, high-performance homes with the integration of renewable energy sources and advanced water management systems, to ensure that every element is designed to promote climate resilience.
- 7.20. Furthermore, there is clear commitment as an outline application to commit to controls ensuring future detailed design aligns with the principles set out in the DAS, through the agreement of appropriately worded conditions.
- 7.21. It is my professional opinion based on experience and the evidence before me that the proposed development does meet the purpose of Policy NE3.
- 7.22. The loss of one typical arable field and several ordinary landscape features as part of a moderate sensitivity, undesignated landscape that is already influenced by the surrounding settlement context, would not represent an unacceptable and unsympathetic change to the landscape character.



Policy SDC1: Sustainable Design

- 7.23. The Council's putative RfR no. 2 and their Statement of Case (CD6.1) refer to Policy SDC1: Sustainable Design (CD5.13) when considering the 'Areas of Separation'. It is clearly a design policy and has no obvious interplay with a need to keep settlements apart. Its wording is clear, in that factors such as massing, density, height, landscaping, layout, materials and access should also be a key consideration in the determination of planning applications.
- 7.24. Such matters in this case, as an outline planning application, can be agreed at a Reserved Matters stage and controlled through conditions and the submission of detailed design information. Policy SDC1 is not a strategic policy that aims to direct or restrict the location of development nor does it set out to test the harm arising from development upon the intrinsic character of the countryside.

Emerging Rugby Local Plan (2025-2042) (CD5.25)

Policy EN4: Areas of Separation

- 7.25. Policy EN4 part B states that development will only be permitted in the Areas of Separation if it will not have a significant adverse impact on the effectiveness of the area in protecting the identity and distinctiveness of settlements and preventing their coalescence. Part C states that developments that diminish physical and visual separation, have an urbanising influence or adversely impact settlement identity will qualify as having an adverse effect on the Area of Separation. However, part B specifically refers to a 'significant adverse impact'.
- 7.26. In the supporting text paragraph 5.8, the emerging Local Plan refers to development which "*could diminish this degree of separation or contribute to the eventual coalescence of settlements*". Coalescence and separation have multiple aspects: physical, visual and perceptual.
- 7.27. As set out in paragraph 6.111, the distance of the functioning gap to the west of Clifton upon Dunsmore (between Rugby Road and the Staveley Way development) is approximately 710 metres at present. The remaining gap between (north to south) between Rugby and Clifton upon Dunsmore, should the Appeal Site be developed (based on the Parameters Plan), would be approximately 630 metres. Width of gap has not been defined as a determining feature, and with much variation already apparent, it is my opinion that a retained gap of 630 metres would still be sufficient to safeguard the individual character of both Rugby and Clifton upon Dunsmore.



- 7.28. As set out above in paragraph 6.109, there are very limited public locations within Rugby to appreciate the existing gap with Clifton upon Dunsmore (see Viewpoints 12 and 13). The topography, extent of built form and vegetation coverage restrict such views.
- 7.29. The Appeal Scheme will not impact upon the perceptual separation of the settlements, being set behind existing residential development within Clifton upon Dunsmore. Whilst it will have an adverse impact through the increased urbanisation of an area of arable land, it will not constitute a significant effect.
- 7.30. Part D of Policy EN4 states that development that will have an adverse impact upon the Area of Separation must demonstrate that the impact has been considered and appropriate mitigation proposed.
- 7.31. The Appeal Scheme has been designed to connect physically and perceptually with Clifton upon Dunsmore, being location on the higher ground although allowing for additional recreational space to connect with that existing. The southern part of the Site will be retained as open space, and there are opportunities for increased planting in this area to create physical and visual separation between the settlements. The impact upon settlement identity has been considered throughout the design, as demonstrated within the DAS (CD1.34).
- 7.32. The Appeal Scheme will not result in the physical, visual or perceptual merger of the settlements.
- 7.33. Furthermore, as set out in the planning evidence of Mr. Stephens, there are unresolved objections to the policy from the Appellant (CD8.2) and no doubt other parties who have responded to the Regulation 19 consultation. The emerging policy EN4 is therefore of limited weight.

Clifton upon Dunsmore Neighbourhood Plan (CD5.27)

Policy ENV5: Important Views (previously Policy ENV7)

- 7.34. Policy ENV5 is addressed in 6.113 above. The policy previously identified the views and stated that *“development proposals should respect and whenever possible protect them”*. However, as set out above, the CUDNP Inspector raised concerns as to the robustness of the evidence base behind the policy and that it could be used as a ‘catch all’ to prevent development. The referendum version of the CUDNP has been revised to read:

“POLICY ENV 5: IMPORTANT VIEWS – The following views (Figure 11, details Appendix 4) are important to the setting and character of both Clifton upon Dunsmore and Houlton.



Development proposals should respect them. Development proposals which could have a significant adverse visual harm on the identified views will be required to explain the need for and benefits arising from development in the location and that appropriate mitigation can take place and/or relevant planning conditions be applied, to address any impact.”

- 7.35. The Appeal Scheme has been designed to be offset from the CUDNP Viewpoint 9, creating additional open space to expand and enhance the recreation ground, with additional facilities as agreed with the Council. It will have an adverse impact upon that view but will not result in significant adverse visual harm. Also, it is unclear the exact criteria for the identification of the viewpoint, other than it is a view from publicly open space across the adjacent countryside. The Appeal Scheme will provide opportunities for alternative views across the same landscape.



Section 8: Conclusion

- 8.1. The RBCLCA (CD5.46) refers to the Dunsmore LCA, the local landscape in which the Site is situated, as an “*unremarkable mosaic of agricultural landscapes*”. The Appeal Site and the local landscape are agreed to be of medium sensitivity within the LVA (CD1.35), the Council’s Sensitivity Study (CD5.47) and my own assessment. The Sensitivity Study (CD5.47) assesses the parcel in which the Site is situated as being of low susceptibility to change.
- 8.2. The Appeal Scheme has been shown to affect none of the key characteristics of the Dunsmore LCA, with the exception of the loss of an agricultural field, which is not a rare, distinct or significant feature. It will result in the introduction of a new area of residential development, which is of a type and scale that is consistent with the surrounding development, into a landscape which is characterised by development. The LVA (CD1.35) assessed effects on the Dunsmore LCA as negligible at Year 1 and 15. My own assessment assessed effects on the LCA as negligible and on the area overlapped by the Dunsmore Plateau Fringe LT at minor at Year 1, reducing to minor / negligible at Year 15. The type of development proposed is consistent and congruous.
- 8.3. The area from which the Appeal Scheme will cause a change to the character of views is limited to within 750m to the south-west and south-east, with visibility to the west and north limited by intervening topography and built form. From the majority of views, the Appeal Scheme is seen within the context of the existing development. Where this is not the case, views can be mitigated to varying extents through the use of boundary planting within the areas of green space in the south and east of the Site.
- 8.4. The Appeal Scheme has been designed to be offset from the CUDNP Viewpoint 9, creating additional open space to expand and enhance the recreation ground, with additional facilities as agreed with the Council. It will have an adverse impact upon that view but will not result in significant adverse visual harm. Also, it is unclear the exact criteria for the identification of the viewpoint, other than it is a view from publicly open space across the adjacent countryside. The Appeal Scheme will provide opportunities for alternative views across the same landscape.
- 8.5. Although the Appeal Scheme will result in a reduction in the extent of the Area of Separation, it will not impact upon the experience of leaving one settlement and entering another and will still result in a significant gap being present between the settlements. There are few locations from which to appreciate the gap, and very few locations where the Appeal Scheme will result in a perceptual change. The settlements will retain their physical, visual and perceptual separation.



- 8.6. The Appeal Scheme will comprise a logical extension of the existing settlement, relating well to the built form and being of a consistent elevation with the existing hilltop village of Clifton upon Dunsmore.
- 8.7. The proposed development parameters respond to the surrounding Green and Blue Infrastructure context through the provision of a beneficial framework of potential Green Infrastructure corridors and connections throughout the Site, to protect, restore and enhance existing assets. The final design approach can be agreed at a Reserved Matters stage and controlled by the Council through the discharge of conditions.
- 8.8. For the reasons set out in my evidence, I respectfully submit that there are no grounds for refusing this Appeal with reference to landscape and visual matters.

