

4.14. In both landscape and townscape terms the site can currently be considered in two distinct parts, separated by a mature tree belt running north-south through its centre. The west part of the site falls within the designated River Valley. The brownfield element to the east is in a prominent location at the junction of Cock Street and the B1108. The redevelopment of this site provides an opportunity to enhance the local townscape. The land at the west side of the site currently marks the transition between the village and the adjoining countryside, a change that is further enhanced by the rural appearance of Back Lane. The existing mature vegetation to the south and west of the site provides effective screening and enclosure of the site and will need to be retained and enhanced to minimise the visual impact of the development. The existing central tree belt should be incorporated into the site layout as far as possible to enhance the appearance of the site, although some tree loss will be necessary to enable access through the site. An arboriculture survey will be required to assess the condition of these trees.

Legal compliance and duty to co-operate: The proposal is contrary to Policy DM 4.5:

“Policy DM 4.5 Landscape Character and River Valleys. All development should respect, conserve and where possible, enhance the landscape character of its immediate and wider environment.

Development proposals that would cause significant adverse impact on the distinctive landscape characteristics of an area will be refused.”

The proposal that this site should be preferred has given no or no adequate consideration to this policy. The proposed development of 20 houses in this location will have a significant impact on the distinctive landscape characteristics of the area. The change is not just to the greenfield site affected but to the landscape and visual amenity of the whole village.

There is no suggestion in the proposal that there has been any attempt to consider or design a high quality landscape design. Any landscape scheme would have to respect policy DM 4.9, which requires that: *“Landscape schemes will be required to respect the character and distinctiveness of the local landscape and should ensure that any land remodelling respects the local topographic character in terms of height, slope, angle and character. Landscape schemes should be clearly and properly specified.”*

What is proposed is to build two or three storey buildings in a cluster on a greenfield site.

The proposal is also contrary to Policy DM 3.14 Pollution, health and safety.

a) *All development should minimise and where possible reduce the adverse impact of all forms of emissions and other forms of pollution and ensure that there is no deterioration in water quality or water courses.*

b) *When assessed individually or cumulatively, development proposals should ensure that there will be no unacceptable impacts on:*

i. *Air quality*

ii. *Surface and ground water quality*

iii. *Land quality and condition*

iv. *Health and safety of the public*

Permission will only be granted on or near contaminated land if it is subject to remediation which will make it safe for the proposed use. On a contaminated site or one suspected to be contaminated or within 250 metres (or on more if considered appropriate on a risk-based approach) of an existing or

disused landfill site, applications will need to be accompanied with an assessment of the extent of contamination on the site and any possible risks

We also note that paragraph 183 of the National Planning Policy Framework explains:

Ground conditions and pollution

183. *Planning policies and decisions should ensure that:*

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

There has been no assessment of the level of contamination at the site, the potential risks and impacts to the environment arising from proposed remediation works, or any adequate site investigation by a competent person to inform the proposal. It is no good leaving such assessment to a later stage since the precautionary approach requires that the risks are identified prior to the proposal being approved.