

# Appeal Statement: Landscape and Visual Matters

Outline Application for up to 196 dwellings with all matters reserved other than the means of access

Land off Ilkeston Road, Ilkeston, Derbyshire

Planning Application Reference: ERE/0722/038

On behalf of:  
Wulff Asset Management Limited

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## 1 INTRODUCTION

### WITNESS AND QUALIFICATIONS

- 1.1 My name is Robert Hughes, I am a Director at Incola Landscape Planning and specialise in landscape and visual planning issues associated with development and change. I hold a BSc (Hons) degree in Rural Resources Management from the University of Wales Aberystwyth and a Post Graduate diploma in Landscape Architecture from the University of Central England. I am a Chartered Member of the Landscape Institute (LI).

### PROFESSIONAL PRACTICE

- 1.2 I have over 19 years of professional experience, having started my career in 2003 as a landscape consultant at CPM Environmental Planning and Design Ltd, progressing to the position of Senior Landscape Consultant by 2007. Between 2007 – 2008 I worked as a Senior Landscape Architect for The Landscape Agency, before working as a sole practitioner up until 2011 when I joined Tyler Grange LLP as an Associate. I became a Landscape Partner at Tyler Grange in August 2014 and Technical Director of Tyler Grange Group Limited in September 2019. In February 2021 I set-up and became a Director of Incola Landscape Planning.
- 1.3 I have been appointed by land promoters, developers, local objection groups and public authorities to provide professional landscape and visual planning advice on a wide variety of projects throughout the United Kingdom. These have included residential and mixed use development, ranging from individual dwellings to housing allocations, strategic urban extensions and Garden Villages. I have also worked on projects for commercial, employment and leisure development and undertaken townscape and tall building assessments, LVIA assessments within Registered Parks and Gardens, as well as windfarm and photovoltaic proposals.
- 1.4 The majority of my career has been involved in the assessment of landscape and visual effects of residential development on greenfield land and associated landscape design inputs. Over the past ten years I have given evidence at Planning Inquiries, Appeal Hearings and Examinations in Public.

### STATEMENT OF TRUTH

- 1.5 The evidence I have prepared within this appeal statement represents my professional opinion in response to the refusal of the planning application and having regard to my own assessment of the landscape and visual context within which the appeal site is situated and the effects of the appeal proposal on the character and appearance of the area. I believe the facts stated in this evidence are true and accurate.

## SCOPE AND PURPOSE

- 1.6 I have been instructed on behalf of Wulff Asset Management Limited (the appellant) to provide evidence in respect of a planning appeal, following the refusal of application reference ERE/0722/038 for up to 196 dwellings with all matters reserved other than the means of access on land off Ilkeston Road, Ilkeston by Erewash Borough Council (the Council).
- 1.7 My evidence addresses matters relating to the effect of the proposal upon the character and appearance of the area and associated landscape and visual matters. This statement has been prepared as an appendix to the main Statement of Case prepared by Mr Sam Silcocks of Harris Lamb Ltd.

## REASONS FOR REFUSAL

- 1.8 My evidence addressed matters raised in the following reasons for refusal (RfR) that accompanied the Council's refusal of the outline application:

### *Reason for Refusal 5*

- 1.9 RfR 5 relates to the landscape character and visual amenity, stating that:

*"The proposed development would lead to the loss of the open landscape which is characteristic of the area. Development of the site would cause significant harm to the visual amenities of the area. The proposal therefore fails to accord with Section 12 of the National Planning Policy Framework and it would be contrary to Saved Policy H12 – Quality & Design and Core Strategy Policy 10: Design and Enhancing Local Identity".*

### *Officer Report – Visual Impact*

- 1.10 RfR5 echoes the assessment in the Officer Report in relation to the visual impact of the appeal proposals. The Officer's assessment considers that the proposals would have a visual impact on what is currently a large, open and undeveloped field, concluding that whilst layout, scale, appearance and landscaping are reserved matters:

*"... it is clear that the impact of the erection of 196 houses across this open field would have a significant impact on the character and appearance of what is currently a rural landscape. The proposal would have a detrimental urbanising impact."*

- 1.11 With reference to Saved Policy H12, and associated criteria, the Officer Report summarises that the proposed development is considered to be out of character with its surroundings and would lead to the loss of the open landscape which is characteristic of the area.
- 1.12 I consider matters relating to the character and appearance of the area and the landscape and visual effect so the appeal proposals within my evidence.

- 1.13 The officer report also mentions the boundary hedgerows, stating that:

*"The boundary hedgerows provide a strong contribution to local character. The loss of much of that characteristic boundary treatment would amplify the impact of the built development in its surroundings."*

- 1.14 As set out in further detail within the Ecology Statement prepared by Stuart Silver of Harris Lamb, the proposals have sought to limit the amount of hedgerow requiring removal to facilitate the site accesses and include for the retention and enhancement of hedgerows that bound the site on Ilkeston Road and Sowbrook Lane. I consider hedgerows in relation to landscape character within my evidence.

#### *Reason for Refusal 4*

- 1.15 RfR 4 relates to biodiversity and ecological matters associated with the proposals, including loss of hedgerows.
- 1.16 Whilst my evidence is limited to landscape matters, when considering the effects of the proposals upon the character and appearance of the area, I give consideration to hedgerows and boundary features and the opportunities for the proposed development to retain and enhance these, as well as providing offsets and landscape buffers to the development alongside Ilkeston Road and Sowbrook Lane.

#### *Emerging Core Strategy – Reasons for Refusal 9 and 10*

- 1.17 RfR 9 and 10 allege the appeal proposals are contrary to the emerging Core Strategy and proposals for the land to be included in the Green Belt and as part of the proposed Nutbrook Strategic Green Infrastructure Corridor.
- 1.18 Matters relating to Green Belt are dealt with in evidence prepared by Mr Silcocks, including the weight to be attached to emerging local policy, and the limited contribution that the site and surrounding land makes to the Green Belt purposes and function, including the separation between towns and prevention of unrestricted sprawl of urban areas.
- 1.19 Mr Silcocks also gives consideration to the functions of the proposed Strategic Green Infrastructure Corridor as set out in the emerging Core Strategy and demonstrates how the appeal site does not contribute to the stated purposes.
- 1.20 My evidence also demonstrates how the proposals offer opportunities to complement and enhance the proposed Strategic Green Infrastructure Corridor by providing new areas of publicly accessible green and blue infrastructure, alongside the Nutbrook Canal, with areas managed for wildlife and biodiversity, as well as play provision and informal open space. The proposals will also provide links with the existing public rights of way and cycle network, as well as opening up and formalising permissive routes and providing cycle links that are proposed for the area.

## STRUCTURE OF EVIDENCE

1.21 When addressing the reasons for refusal and associated matters, this Statement sets out my evidence in the following structure:

- **Section 2: The Proposed Development**  
Outlining the parameters and principles of the appeal scheme as detailed within the Design and Access Statement prepared by RDC and on the Illustrative Masterplan. It should be noted that the proposals are made in outline, save for access, for up to 196 dwellings. Matters relating to layout, design and landscaping are all reserved, allowing scope for the development of the appeal site to respond to sensitivities at the detailed design stages.
- **Section 3: Policy Context**  
Setting out the relevant local and national policies that are of relevance to the RfR and landscape and visual matters as set out above. This includes the adopted Core Strategy polices and allocations, including the Stanton Regeneration Site and supporting Supplementary Planning Documents (SPD) and evidence base, as well as the emerging Core Strategy.
- **Section 4: Site Context**  
A review of the landscape and townscape context within which the appeal site is situated. This will also include consideration of the changing context associated with the consented development of the Stanton Regeneration Site for employment / distribution warehousing use to the east of Ilkeston Road, as well as the wider allocation for residential development south of Sowbrook Lane and Low's Lane.
- **Section 5: Visual Context**  
Review of the visual context and identification of groups of people (visual receptors) who may experience changes to their views and visual amenity arising from the proposals. This includes users of local roads, public rights of way (footpaths, bridleways and cycle routes) and local residents of properties that overlook the appeal site.
- **Section 6: Landscape and Visual Effects**  
A review of the site and surrounding area to identify those qualities and features that may be of value, as well as the susceptibility of the landscape to the proposals, taking into account the illustrative proposals and for mitigation and enhancement measures.

The assessment will take account of the changing context and influence of the consented development of the Stanton Regeneration Site and future residential development as identified in the current and proposed allocations. The assessment will also assess the sensitivity of the groups of visual receptors identified in section 5, taking into account their activities and susceptibility to the changes proposed.

Summary of the landscape and visual effects of the appeal proposals, building on the assessment of the site context and sensitivities, taking account of the opportunities for the appeal scheme to incorporate areas of multifunctional green and blue infrastructure providing landscape, biodiversity and recreational / amenity benefits.

- **Section 7: Nutbrook Strategic Green Infrastructure Corridor**  
Overview of how the proposals may feed into and enhance the function, character and associated amenity, biodiversity and accessibility within the proposed Strategic Green Infrastructure Corridor and link to the surrounding rights of way network.
- **Section 8: Summary and Conclusions**  
Summary of the findings in relation to the reasons for refusal, including the character and appearance of the area, visual amenity and the proposed Strategic Green Infrastructure Corridor in the emerging Core Strategy. The summary will also consider compliance with policy.

## PLANS AND APPENDICES

- 1.22 My evidence is supported by a set of plans and photographs that assist in demonstrating the character and context within which the appeal site is situated and how the proposed development will fit within this. These are contained at the rear of this report and comprise the following.

### Plans

- Plan 1: Site Location;
- Plan 2: Site Context;
- Plan 3: Topography;
- Plan 4: Zone of Theoretical Visibility;
- Plan 5: Visual Context
- Plan 6: Representative Photoviews; and
- Plan 7: Site Context – Consented Development, Allocated Land and Appeal Scheme

### Appendices

- Appendix 1: Appeal Scheme - Illustrative Masterplan
- Appendix 2: Stanton Regeneration Site: New Stanton Park – Illustrative Masterplan
- Appendix 3: Stanton Regeneration Site: New Stanton Park – Parameters Plan
- Appendix 4: Stanton Regeneration Site: New Stanton Park – Environmental Statement Extracts, Appendices 12.1 and 12.2

## 2 THE PROPOSED DEVELOPMENT

- 2.1 In this section I provide an overview of the appeal proposals as shown on the Illustrative Masterplan, a copy of which is included at Appendix 1 of this Statement and on the extract at **Figure 1** below. I also refer to the Design and Access Statement (DAS) when describing the design principles that have informed the outline illustrative proposals and parameters for the scheme. Both the DAS and masterplan were prepared by RDC Development Consultants.
- 2.2 The application was made in outline, with all matters except for access reserved. The principles as set-out in the DAS and shown on the Illustrative Masterplan are therefore indicative at this stage. There is scope for the scale, massing and design of development and the layout of open space, green infrastructure, SuDS and landscape planting to be further refined and developed at reserve matters stage. The Council have the ability to control how the proposals and detailed design would be delivered through reserved matters and planning conditions.



Figure 1: Illustrative Masterplan

- 2.3 I summarise the proposals below, with reference to the DAS and Illustrative Masterplan. Further details are included within the DAS.

## OPPORTUNITIES AND CONSTRAINTS

- 2.4 As set out in Section 5 of the DAS, the following landscape opportunities and constraints were identified to inform the developable area and design principles for the scheme proposals:

### OPPORTUNITIES

- To increase the biodiversity of the site through new planting.
- To retain and enhance green corridors around the site perimeter.
- To provide recreation and play opportunities, including play areas and a trim trail.
- To provide a circular pedestrian route around the site perimeter.

### CONSTRAINTS

- Sewer easement running diagonally across the site east west, and overhead electricity cables alongside Sowbrook Lane.
  - Noise from the substation south of Sowbrook Lane.
  - Existing trees around site perimeter to be retained.
  - Small area of site within flood zone 2.
  - Existing permissive paths alongside the canal accessing Rough's Hole angling pond and leading to Sowbrook Lane to be accommodated within public open space.
- 2.5 The opportunities and constraints are illustrated on a site plan on page 15 of the DAS, an extract of which is shown on **Figure 2** below.

## DESIGN

### QUANTUM

- 2.6 The site has an overall area of 10.3 hectares. The constraints identified for the site limited the developable area to 5.6 hectares. At a density of 35 dwellings per hectare, the site would deliver 196 dwellings.
- 2.7 The remaining 4.7 hectares comprise public open space that is located around the edges of the site, including wildlife corridors, formal and informal open space, balancing ponds, play areas and circular walks.

### MIX AND SCALE

- 2.8 The mix would be fixed at reserved matters and designed to meet local needs. Properties adjacent to the site on Sowbrook Lane are three storeys with houses at Kirk Hallam predominantly 2 storeys.
- 2.9 The site has the ability to accommodate varying storey heights.

- 2.10 Within my analysis of the visual context, I have produced a Zone of Theoretical Visibility (ZTV) assuming a ridge height of 9m AOD to accommodate this variance when testing the parameters (see Plan 4).



*Figure 2: Opportunities and Constraints*

## DESIGN PRINCIPLES

- 2.11 The proposals for up to 196 dwellings was arrived at by assuming a density of 35 dwellings per hectare as an average across the developable site area. This low / medium density reflects the edge of settlement character and allows for the provision of a string framework of green infrastructure and open space at the site edges, retaining the existing landscape boundary features and offering opportunities to respond to the site constraints whilst providing enhancements to the landscape and biodiversity and amenity benefits.
- 2.12 The Design Principles are set out at Section 7.2 of the DAS (page 20) and include:
- Outward facing dwellings onto areas of public open space to provide overlooking and a positive edge.
  - Responding to the gas easement to define the build line fronting open space and to inform the site layout.
  - Accesses of Ilkeston Road and Sowbrook Lane linked by a central tree lined avenue.

- Retention and enhancement of trees and hedges to site boundaries and leisure corridor to the north to form a perimeter of wildlife corridors comprising public open space with a perimeter trail to provide connectivity and amenity benefits for residents, linking with existing paths and rights of way.
- Enhancement of the setting to the canal through provision of open space adjacent to the waterway on the northern boundary, incorporating existing trees and native planting to increase biodiversity value, a community garden, attenuation basins managed for wildlife and a play area (LEAP).
- Provision of a trim trail along the perimeter path, as well as LEAP and LAP play areas set within areas of open space and green infrastructure.
- Provision of public open space and setting back of development from Sowbrook Lane to provide 50m offset from the substation. Within this area, existing boundary planting will be retained and enhanced providing a soft transition and attractive frontage alongside Sowbrook Lane.

2.13 These design principles and features are illustrated and labelled on the Illustrative Masterplan.

## SUPPORTING TECHNICAL ASSESSMENTS

The planning application was accompanied by a suite of technical reports that informed the design principles and development of the Illustrative Masterplan for the appeal scheme. These include the following that are of relevance to the landscape and visual context of the site and proposed development, including mitigation and enhancement measures.

### HERITAGE STATEMENT

- 2.14 Prepared by The Jessop Consultancy the Heritage Statement has assessed that the proposals would have no impacts on the fabric of any designated assets, including the Stanton-by-Dale Conservation Area and the Listed Buildings at New Stanton Cottages to the south of the site on Sowbrook Lane.
- 2.15 The legibility of the historic setting of the cottages has been compromised by post-war development, with the Heritage Statement stating that<sup>1</sup>:

*"The contribution of setting to the significance of the listed building is limited and as such the sensitivity of the listed building to further change in their setting is low. The proposed development is considered to result in a minor adverse level of effect on heritage significance and setting. Any harm would be less than substantial in nature and towards the lower end of this scale."*

- 2.16 Of note is the survival of part of The Stanhope Arm of the Nutbrook Canal as a pond to the southwest of the appeal site. The connection of the arm to the canal has been altered by the

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<sup>1</sup> Land at Ilkeston Road, Stanton-by-Dale, Derbyshire: Heritage Statement - Executive Summary, page 3, final paragraph

creation of Rough's Hole, a small fishing lake located to the northwest of the site and contained by trees, hedging and shrubs.

- 2.17 The Heritage Statement was authored by Dan Slatcher, who has prepared evidence for the appeal in relation to Heritage Matters.

### *ECOLOGICAL APPRAISAL*

- 2.18 Harris Lamb undertook a Preliminary Ecological Appraisal to support the planning application and identify any ecological constraints and associated mitigation measures that should be incorporated into the proposals.
- 2.19 The appraisal concluded that there are no insurmountable constraints to development from an ecology or biodiversity perspective. It is anticipated that impacts to species and habitats could be avoided, mitigated and enhanced with recommended measures secured through appropriately worded planning conditions<sup>2</sup>. The findings of the appraisal are summarised below.
- 2.20 There are three Local Wildlife Sites (LWS) that border the appeal site, these are all identified by the appraisal as including or comprising standing open water habitats:
- ER045 Sowbrook Pond LWS - adjacent to the north western site boundary;
  - ER046 Nutbrook Canal & Fields LWS - north of the site; and
  - ER188 Ilkeston Road Pond and Nutbrook Canal LWS beyond Ilkeston Road to the east.
- 2.21 Despite the proximity of the wildlife sites, the appraisal concludes that the proposed development would not be likely to directly impact on the Nutbrook Canal and fields to the north of Privates Pond to the east, beyond Ilkeston Road.

### *Mitigation Measures*

- 2.22 The proposals have retained the defunct pond of the former Stanhope Arm of the canal within the existing area of woodland and scrub habitat of the Sowbrook Pond LWS to the northwest / western part of the site. The scheme also delivers areas of Public Open Space for recreational use elsewhere on the site to minimise any direct impacts on local wildlife sites. The appraisal concludes that there would be no adverse impact on any of the Local Wildlife Sites arising from the proposed development.
- 2.23 Whilst recognising the outline nature of the application, the ecological appraisal identifies that the proposals retain the majority of hedgerows within wide green corridors that will maintain commuting and foraging routes for wildlife. The loss of modified semi-improved grassland and minimal areas of scrub and hedgerow associated with the development proposals are identified as

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<sup>2</sup> Land Adjacent to Ilkeston Road, Ilkeston: Preliminary Ecological Appraisal - Section 6.0 Conclusions, paragraphs 6.1.1 and 6.1.2, page 38

being adverse at a site-wide level, with no adverse effects to nature conservation outside of a site level.

- 2.24 The appraisal recommends that a Landscape and Ecological Management Plan (LEMP) is secured via a suitable planning obligation. The LEMP would detail how the mitigation and enhancement measures were to be delivered and managed.
- 2.25 Other mitigation measures identified by the ecological appraisal and incorporated into the proposals include:
  - Key foraging areas for bats are retained, including corridors along the site boundaries . A lighting strategy will be required to retain dark corridors and minimise light spill onto potential foraging areas in and around the site. This should be secured through a planning condition.
  - The appraisal also recommends a reptile mitigation strategy to ensure the protection and safeguarding of reptiles during construction.
  - Mitigation for the loss of sky lark nesting habitat on the open grassland areas is to be delivered off-site.

#### *Ecological Enhancement Measures*

- 2.26 Ecological enhancements along the northern site boundary with the canal include areas of accessible greenspace, attenuation basins that can be managed for wildlife benefits and associated wildflower and grassland areas to increase biodiversity value. Areas of meadow grassland will provide a habitat for a range of invertebrates and reptiles, as well as foraging for birds, bats and hedgehog.
- 2.27 The proposals provide commuting and habitat corridors to the site boundaries for wildlife, with specific enhancements identified for reptiles along the canal and adjacent LWS to include basking banks and hibernacula around attenuation features and scrub habitat areas.
- 2.28 The installation of nesting bird boxes and bat boxes on retained trees and built into buildings at key locations are recommended.

#### *TRANSPORT ASSESSMENT*

- 2.29 The Transport Assessment prepared by Martin Andrews Consulting Ltd recognises that the site is connected by several Public Rights of Way and a National Cycling Route, with there being potential to improve the width of the existing footway along Sowbrook Lane between the site and Kirk Hallam to the west as part of the proposals to further enhance connections and accessibility within the local area.

### Access Arrangements

- 2.30 At Section 5.0, the Transport Assessment provides details of the access arrangements. The main vehicular access is off Ilkeston Road, with the secondary access off Sowbrook Lane. Sowbrook Lane also provides the principal pedestrian and cycle access. There are also opportunities for the proposals to provide an additional pedestrian footway within the site to provide access to the existing bus stop on Lows Lane to the east.
- 2.31 Details of the main access off Ilkeston Road and secondary access off Sowbrook Lane are illustrated on MAC Drawing no. '450 TA10 Proposed Site Access' which is included at Appendix J of the Transport Assessment. The drawing shows details of the following:
- Widening of Sowbrook Lane and Ilkeston Road opposite the site accesses to an overall width of 10m to allow for a ghosted right turn access arrangement, tapering at 1 in 20; and
  - Provision of Visibility Splays 2.4m wide by 120m long.

### HEDGEROW REMOVAL TO FACILITATE ACCESS

- 2.32 As clarified within the Highways Statement and Ecology Statement, the implementation of the site accesses off Ilkeston Road and Sowbrook Lane will result in the following lengths of hedgerow removal to facilitate the access roads, footways and visibility splays.

#### Ilkeston Road

- 2.33 The Ilkeston Road access will require the removal of 25 metres of hedgerow, including some hedgerow trees. 15 metres of the hedgerow to be removed is required for the implementation of the junction. The remainder of the visibility splay can be achieved through the cutting back and management of the existing hedgerow.
- 2.34 As recorded in the Tree Survey, the hedgerow along Ilkeston Road (Group G5) is of substantial size, containing ash and oak trees, and being 10m high. The proposals will retain the majority of the hedge which will continue alongside the road, providing both physical and visual containment. There are also opportunities for the management and enhancement of the roadside hedgerows, including planting within the site.

#### Sowbrook Lane

- 2.35 The secondary access on Sowbrook Lane will require the removal of a total of 105 metres of hedgerow, including that required for the implementation of the junction, footways and visibility splays. The visibility splay to the north would necessitate the removal of 50 metres of hedgerow, with the visibility splay to the south resulting in the loss of 55 metres of hedgerow.
- 2.36 As illustrated on the photoviewpoints at the rear of this statement (Plan 6 - Photoviewpoints 5, 6a and 6b) the hedgerow along Sowbrook Lanes is clipped and managed as a low hedgerow, with

substantial lengths that are scrubby, comprising brambles. There are therefore opportunities to significantly enhance the hedgerows along the road with new native tree and hedgerow planting as part of the proposals.

- 2.37 As shown on the Illustrative Masterplan and set out within the accompanying design principles, the proposals offer opportunities to deliver both replacement hedgerows and enhancements to site boundaries through the delivery of landscape buffers incorporating trees hedgerows and areas of multifunctional green infrastructure.
- 2.38 This includes a 50 metre offset from the substation alongside Sowbrook Lane, within which areas of publicly accessible multifunctional greenspace including hedgerow and tree planting to create a soft transition and enhance the boundary landscape features and character along Sowbrook Lane.

### 3 POLICY CONTEXT

- 3.1 I summarise below the policies and guidance that are of relevance to the effects of the proposals upon the character and appearance of the area, included those cited within Reason for Refusal 5. I also consider allocations within the adopted Core Strategy and the emerging Core Strategy in relation to the Stanton Regeneration Site and the proposed Strategic Green Infrastructure Corridor.

#### NATIONAL PLANNING POLICY FRAMEWORK

- 3.2 At the heart of the NPPF is a presumption in favour of sustainable development. For plan making, the presumption requires plans to positively seek opportunities to meet the development needs of an area and be sufficiently flexible to adapt to rapid change. Footnote 7 accompanying the presumption identifies protected areas or assets of particular importance which includes Areas of Outstanding Natural Beauty (AONB), National Parks and areas defined as Heritage Coast.
- 3.3 The appeal site is not situated within or in proximity of any of the protected areas or assets of particular importance identified by footnote 7 and is not situated within any landscapes that are designated at either a statutory or non-statutory level in relation to their value or quality.
- 3.4 The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, as stated at paragraph 126.
- 3.5 Paragraph 130 seeks to ensure that developments, among others:
- "b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and
  - c) 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)."
- 3.6 Paragraph 174 requires planning policies and decisions to contribute to and enhance the natural and local environment by fulfilling criteria including amongst others:
- "a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and
  - b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland."

- 3.7 The appeal site does not comprise a valued landscape under paragraph 174(a) of the NPPF. The appeal site is not situated within or in proximity of any of the protected areas or assets of particular importance identified by footnote 7 and is not situated within any landscapes that are designated at either a statutory or non-statutory level in relation to their value or quality.
- 3.8 Paragraph 175 makes it clear that there is a hierarchy to the importance and value attributed to landscapes, and that the development plan should identify the quality of particular landscapes that are not subject to statutory protection.
- 3.9 In the absence of local designations, the development plan may identify qualities and attributes of the landscape (i.e. characteristics and features) that combine to provide the intrinsic character and beauty of the countryside. This is often set out within published Landscape Character Assessments and associated strategies and guidelines that form part of the evidence base prepared to support the local plan policies and their application.

#### PLANNING PRACTICE GUIDANCE (PPG)

##### *Natural Environment, July 2019: Green Infrastructure*

- 3.10 The PPG highlights the multifaceted benefits provided through the provision of Green Infrastructure, including but not limited to: *"enhanced well-being, outdoor recreation and access, enhanced biodiversity and landscapes, urban cooling, and the management of flood risk"* (Paragraph: 005 Reference ID: 8-005-20190721, Revision date: 21 07 2019)
- 3.11 Moreover, the PPG recognises how green infrastructure exists within a wider landscape context and can thus be used to reinforce and enhance local landscape character and contribute to a sense of place and natural beauty (Paragraph: 006 Reference ID: 8-006-20190721, Revision date: 21 07 2019)

#### EREWASH DEVELOPMENT PLAN

- 3.12 The following Saved Policies and those within the adopted Erewash Core Strategy 2011 – 2028 relate to landscape matters and the character and appearance of the area. These include those cited within the reasons for refusal, as well as those which consider to be of relevance in relation to landscape matters.

#### ADOPTED CORE STRATEGY

##### *Policy 10: Design and Enhancing Local Identity*

- 3.13 Policy 10 is cited in RfR5 which relates to landscape and visual effects. Policy 10 comprises three criteria. Criterion 1 states that all new development should:
  - Make appositive contribution to the public realm and sense of place;

- Create an attractive, safe, inclusive and healthy environment;
- Have regard to the local context and reinforce valued local characteristics; and
- Reflect the need to reduce the dominance of motor vehicles.

3.14 The second set of criteria relates to design and detailed matters, stating that development will be assessed in relation to structure, legibility, and the density, massing, scale and materials. The impacts on amenity of nearby residents or occupiers are also identified.

3.15 Part 3 of the policy relates to landscape character, stating that:

*"Outside of settlements, new development should protect, conserve or where appropriate, enhance landscape character. Proposals will be assessed with reference to the Derbyshire Landscape Character Assessment."*

3.16 At paragraph 3.11.9, the supporting text to Policy 10 states that Erewash has some distinctive and locally valued landscapes, and that new development should have regard to the landscape within which it is located, going on to clarify that:

*"Development should protect, conserve and, where appropriate, enhance landscape character, in line with the relevant Landscape Character Assessments."*

3.17 The text goes on to state that particular regard will be had to:

- the objective of protecting open countryside and historic landscapes.
- Locating or siting development sensitively within the landscape.
- The likely impact of the scale of the development.
- The objective of preserving or enhancing biodiversity value.

3.18 In Section 3 of this Statement, I review the landscape character assessment and characteristics, features and guidelines for the Coalfield Village Farmlands Landscape Type, within which the site is situated.

## *Policy 16: Green Infrastructure, Parks and Open Space*

3.19 The reasons for refusal do not include mention of Policy 16, which seeks to take a strategic approach to the delivery, protection and enhancement of Green Infrastructure, through the establishment of a network of Green Infrastructure corridors and assets, including those at a local level.

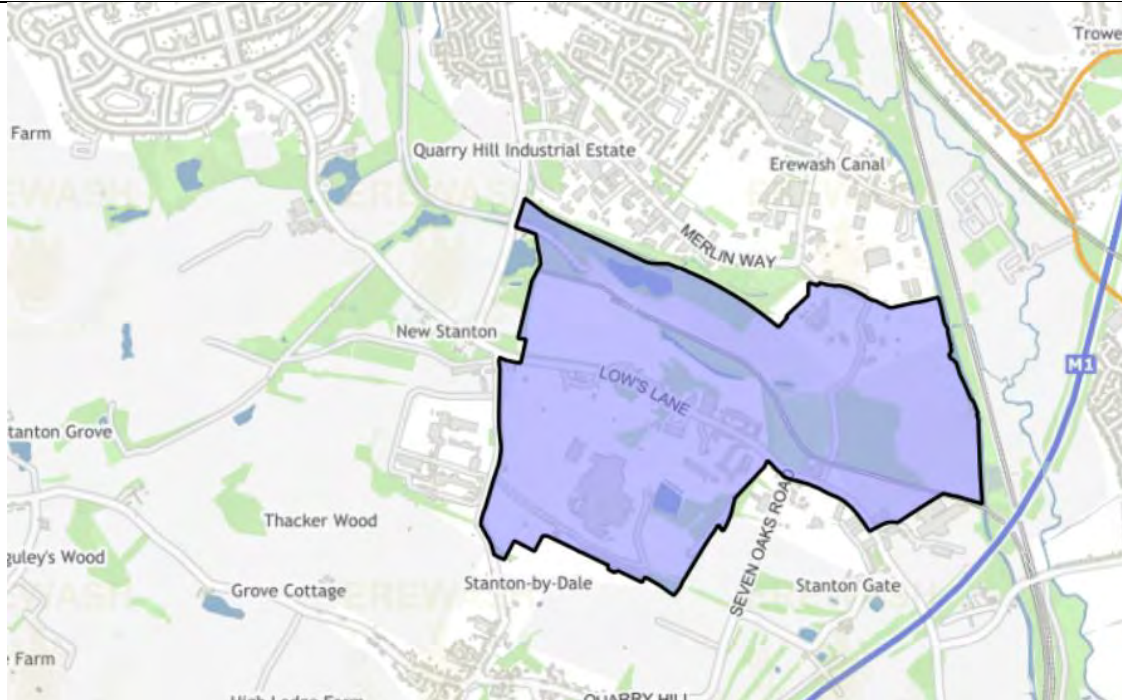
3.20 The approach to achieving the above includes protection and enhancement of existing GI corridors, including the Nutbrook Trail and Urban Fringe Areas. The policy promotes links to and between the GI network for recreational purposes and migration of species.

3.21 The policy also seeks to protect, conserve or enhance landscape character where appropriate, in line with the recommendations of the Derbyshire Landscape Character Assessment.

- 3.22 New or enhanced GI corridors and assets should be as inclusive as possible and multifunctional, making provision for physical activity and well-being opportunities for local residents, educational resource, biodiversity opportunities and enhancement of landscape character, among others.
- 3.23 Given the location of the site alongside the Nutbrook Canal and opportunities for the proposals to improve the amenity value and connectivity through the existing GI corridor and associated assets, as well as offering landscape, biodiversity and amenity benefits, the proposals meet the aspirations of Policy 16 as part of a wider strategic network of Green Infrastructure.
- 3.24 At paragraph 3.17.7 the supporting text to Policy 16 identifies that landscapes and features within them form an important part of the GI network, referring to the Derbyshire Landscape Character Assessment that provides details on how the different landscape types can be protected, conserved or enhanced.

*Policy 20: Stanton Regeneration Site*

- 3.25 The adopted Core Strategy has allocated land on the former ironworks to the east and southeast of the site as the Station Regeneration Site, to provide around 2,000 homes, a 10 hectare business park and 10 hectares of land for general industrial use. The area is shown on the extract of the proposals map below on **Figure 3** and is also shown on the aerial photograph base on **Plan 2: Site Context** at the rear of this Statement.



*Figure 3: Adopted Core Strategy Proposals Map - Policy 20 Stanton Regeneration Site*

3.26 As part of the allocation, the regeneration site is also to provide a strategic area of green infrastructure, to include:

- A wildlife corridor linking the Nut Brook Valley with the Erewash Valley;
- An area of at least 20 hectares to provide a destination wild space and informal recreation area; and
- Enhancement to the multi-user link between the Nut Brook Trail to the west and Erewash Valley Trail to the east.

#### Consented Development

- 3.27 An application for the development of part of the wider Stanton Regeneration Site, north of Low's Lane for employment use has been granted consent in August 2022 (application no. ERE/1221/0002). The proposals include for the provision of distribution centre and warehousing development, with ridge heights of between 24m to 31m above finished floor level.
- 3.28 The proposals also include for the retention of land alongside the Nutbrook Canal as an area of strategic green infrastructure, incorporating the Nutbrook Trail (National Cycle Route 67) and the canal towpath, as well as existing waterbodies, including the fishing ponds east of Ilkeston Road.
- 3.29 The proposals are shown on the Illustrative Masterplan, a copy of which is contained at **Appendix 2** of this Statement. An extract is included on **Figure 4** below. The parameters plan for the regeneration site is included at **Appendix 3**. The appeal site can be seen adjacent to the allocation, west of Ilkeston Road. The masterplan also shows the location of improvement works to the junction of Ilkeston Road and Low's Lane / Sowbrook Lane to the southeast of the site (pink hatching).
- 3.30 The land to the south of Low's Lane remains as part of the wider allocation of the Stanton Regeneration Site and is expected to deliver new housing, as included in the emerging Core Strategy.



Figure 4: Stanton Regeneration Site: New Stanton Park - Illustrative Masterplan

## SAVED POLICIES

### Saved Policy H12: Quality & Design

3.31 Policy H12 is cited in RfR5 and requires that proposals:

*"1. Are in scale and character with their surroundings;*

*"2. Have regard to distinctive landscape features and provide supplementary landscaping where appropriate, particularly where the development is visually prominent or situated on the established urban fringe."*

3.32 The policy requires dwellings to have adequate amenity space and an acceptable standard of privacy within private gardens. These are both detailed matters that would be considered at reserved matters once the outline consent had been granted.

3.33 The policy also requires proposals to be located so as to avoid being unduly affected by noise or smells. As set out above in Section 2 when identifying opportunities and constraints, the proposals

have been developed to ensure a sufficient set back is provided from the substation on Sowbrook Lane.

#### *Saved Policy EV16 – Landscape Character*

- 3.34 Whilst not cited in any of the reasons for refusal, Saved Policy EV16 seeks to ensure that development recognises and accords with the landscape character within which it is located.
- 3.35 As with Saved Policy H10, the focus of the policy is upon detailed matters, including materials, landscaping and roof design. These are not the subject of the appeal proposals, which have all matters reserved except for access. However, the supporting text to the policy refers to the Derbyshire Landscape Character Assessment that forms part of the evidence base and which supports the local plan. The text states at paragraph 6.20 that:

*"The Derbyshire Landscape Character Assessment is intended to provide details of the specific features, characteristics and qualities of distinctive areas of the County in order to inform decision makers, such as planning authorities, when considering development proposals which will impact upon the landscape character of an area."*

- 3.36 I set out the character, features and qualities of the area as defined by the Derbyshire Landscape Character Assessment in Section 4 of this Statement when considering the Site Context.
- 3.37 The character assessment also contains planting and management guidelines for each of the Landscape Types. Proposals may incorporate these guidelines to ensure that development recognises and accords with the landscape as required by Saved Policy EV16. I consider the opportunities for delivery of these guidelines within the appeal proposals when assessing the potential effects of the development scheme upon the character and appearance of the area.

#### **SUPPLEMENTARY PLANNING DOCUMENTS AND GUIDANCE**

- 3.38 The development plan is supported by a number of Supplementary Planning Documents (SPD), including the following that relate to landscape matters and which support the policies reviewed above.

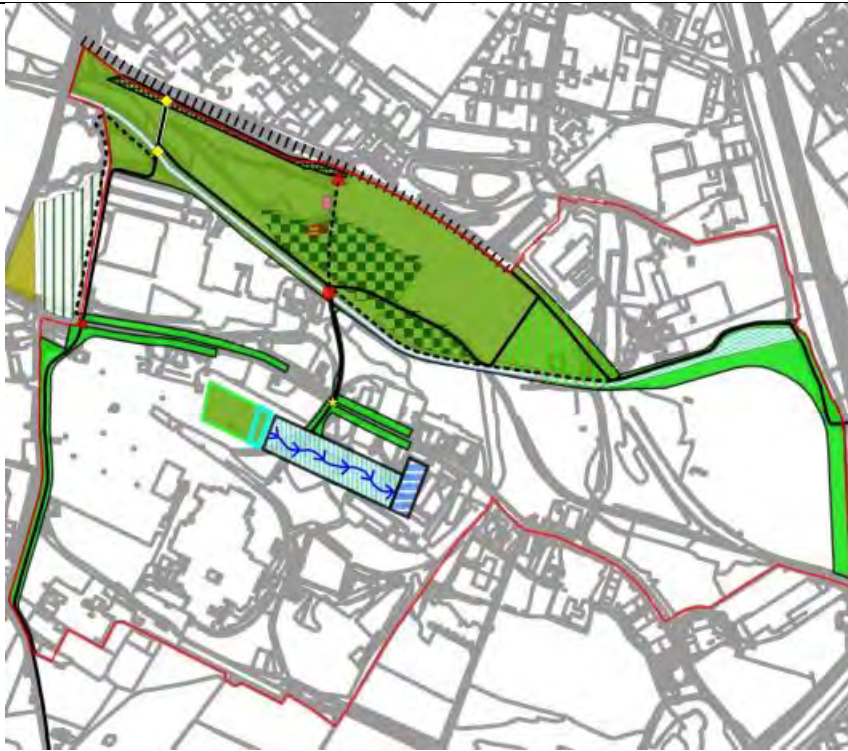
#### *LANDSCAPE SPD, APRIL 2006*

- 3.39 The Landscape SPD has been prepared to support a number of former Local Plan policies, including Saved Policy EV16: Landscape Character (as detailed above).
- 3.40 The SPD provides a summary of the Landscape Character Types (LCTs) as defined by the Landscape Character Assessment of Derbyshire. The site and land surrounding Ilkeston lies within the Lowland Village Farmlands LCT. I review the characteristics, features and guidelines for the LCT within Section 4 of this Statement.

- 3.41 The SPD also identifies a range of considerations for the detailed design and implementation of landscape proposals for development sites. As the appeal scheme is in outline, these details and guidance are not relevant at this stage and will become more so at reserved matters as the design of the proposals comes forwards.

*STANTON REGENERATION SITE SPD, JANUARY 2017*

- 3.42 The SPD provides a masterplan to enable the comprehensive redevelopment of the wider Stanton Regeneration Site. This includes details of the Green Infrastructure Strategy at Appendix 3 of the SPD which include for an area of strategic landscaping that delivers the wildlife corridor and trail link requirements, as well a sustainable drainage needs.
- 3.43 The Green Infrastructure Map extract on Figure 5 below shows the extent of the area of wild space (green hatch) and informal recreation areas (chequered hatching) within the corridor of land between the Nutbrook Canal and the Nutbrook Trail to the north of the regeneration site.



*Figure 5: Stanton Regeneration Site SPD - Green Infrastructure Map, extract*

## EVIDENCE BASE

### *The Landscape Character of Derbyshire*

- 3.44 As detailed within adopted and saved policies and reiterated within SPD, the Landscape Character of Derbyshire provides a landscape character assessment of the County, identifying a number of Landscape Character Areas and Character Types. For each of the landscape types (LCTs), the assessment sets out the key characteristics, as well as planting and management guidelines.
- 3.45 The assessment for each of the LCTs help identify the key features and qualities that make the landscape of each area distinctive and informs the application of policies, guiding the design of new development to conserve and enhance the landscape character within proposals.
- 3.46 I review the findings of the assessment for the Coalfield Village Farmlands LCT within which the site and land surrounding Ilkeston is situated in further detail at Section 4.

## EMERGING CORE STRATEGY

### *EREWASH BOROUGH COUNCIL CORE STRATEGY REVIEW – SUBMISSION VERSION, NOVEMBER 2022*

#### *Strategic Policy 1.2 – South Stanton*

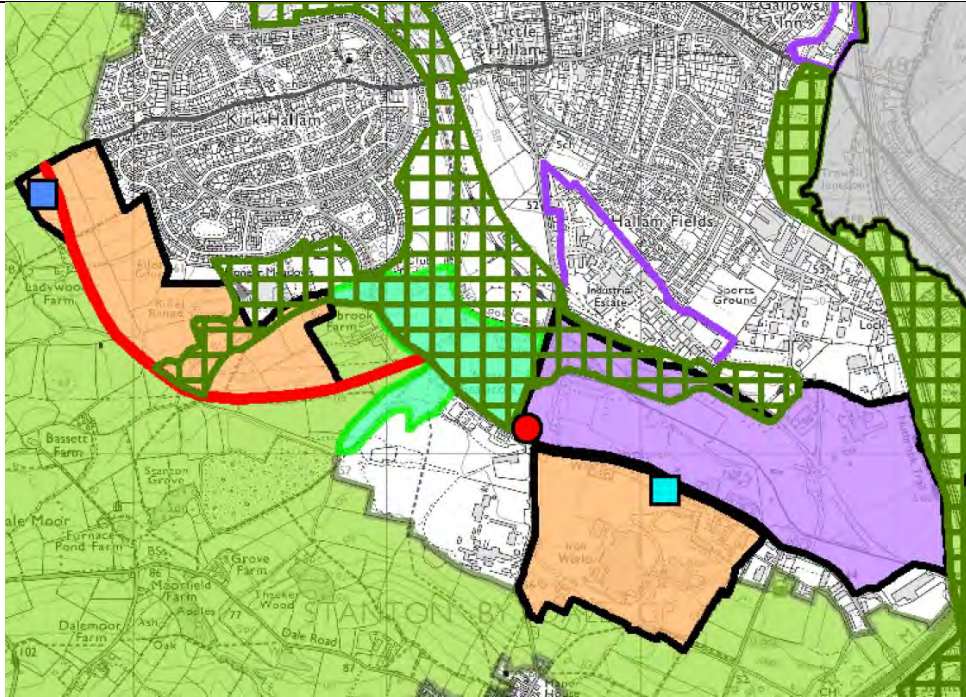
- 3.47 The emerging Core Strategy proposes to allocate the southern part of the wider Stanton Regeneration Site south of Low's Lane for strategic residential development of around 1,000 new homes, primary school and village centre. The policy states that:

*"The development will form a new community associated with the Ilkeston Urban Area."*

- 3.48 The policy recognises that the land to the south of Low's Lane forms part of the Ilkeston urban area. The allocation is shown on Figure 6 below as a beige hatch, below the purple area that forms Stanton North and which is consented for employment use.

#### *Strategic Policy 5 – Green Infrastructure*

- 3.49 The emerging Core Strategy seeks to designate areas as Strategic Green Infrastructures Corridors. This includes the Nutbrook Strategic Green Infrastructure Corridor.
- 3.50 The extent of the proposed Strategic Green infrastructure Corridor is illustrated on the proposals map, an extract of which is shown on **Figure 6** below. The corridor extends to include the areas of green infrastructure within the Stanton Regeneration Site to the east and north of the appeal site that runs between the canal and Nutbrook Trail, as well as the site and land to the west, as far south as Sowbrook Lane.



*Figure 6: Erewash Core Strategy Review, Submission Version Nov2022 - Proposals Map, extract*

- 3.51 The policy identifies four objectives of the Strategic Green Infrastructure Corridors, which are to provide:
- Sustainable flood water management;
  - Biodiversity improvement, including natural carbon capture;
  - Active travel; and
  - Open Space recreational uses.
- 3.52 Mr Silcocks provides further evidence in relation to the emerging Core Strategy and the proposed Nutbrook Strategic Green Infrastructure Corridor, highlighting that the appeal site does not currently contribute to the objectives of Strategic Policy 5 and should therefore not be included within the corridor.
- 3.53 As set out above in Section 2 of this Statement when reviewing the appeal proposals, the development of the site offers opportunities to provide substantial enhancements to green infrastructure in line with the objectives of Strategic Policy 5. This includes the stated aims of:
- Natural flood management - through the provision of SuDS
  - Biodiversity improvement – Through managing of existing habitats and creation of new areas for wildlife and biodiversity improvements;
  - New recreational facilities – Including formal and informal recreation; and
  - Extended recreational route ways - connecting with the existing foot and cycle network.

## 4 SITE CONTEXT

### PUBLISHED LANDSCAPE CHARACTER ASSESSMENT

- 4.1 As set out above, local policies are supported by the Landscape Character of Derbyshire landscape character assessment, which identifies a number of distinct Landscape Types and their key characteristics and features. The assessment also provides guidance on the management of the landscape within each area.

### COALFIELD VILLAGE FARMLANDS LANDSCAPE TYPE

- 4.2 The landscape character assessment identifies the landscape to the south and west of Ilkeston as being situated within the Coalfield Village Farmlands Landscape Type (LCT). The LCT covers a wider area, extending west of Ilkeston and north towards Ripley.

- 4.3 Key characteristics identified for the LCT are:

- Gently undulating landform
- Dairy farming with pasture and localised arable cropping
- Relict ancient semi-natural woodland, copses and linear tree-belts
- Dense watercourse trees and scattered hedgerow trees
- Towns and villages on ridge lines surrounded by remnant medieval strip fields
- Network of small irregular lanes between larger urban roads
- Small villages with sandstone buildings expanded by red brick terrace housing and ribbon development.

- 4.4 The descriptive text for the LCT describes the landscape as:

*"... essentially a small-scale, organic landscape with small woodlands, copses, linear tree-belts and hedgerow trees."*

- 4.5 The influence of the built environment across the areas is also identified, with the area described as a settled landscape characterised by towns, many villages and a moderate dispersal of farmsteads.
- 4.6 Given the location of the appeal site on the urban fringe of Ilkeston, surrounded by associated extensive industrial, employment and commercial development, many of the key characteristics identified for the Coalfield Village Farmlands are not present, having been lost to the urban and industrial development of the landscape.
- 4.7 Trees and woodland along the course of the Nutbrook Canal and Nut Brook are characteristic of the wider area, providing enclosure within the local landscape, combining with hedgerows and trees to field boundaries that run along the roads on the urban edge.

- 4.8 The red brick terraced housing of the Sowbrook Cottages / Twelve Houses that run alongside Sowbrook Lane to the south of the appeal site are characteristic and represent ribbon development that has extended along the road. However, the extensive industrial and commercial development that surrounds the cottages has amalgamated them into the built fabric of Lower Stanton.
- 4.9 The summary for the Coalfield Village Farmlands LCT recognises the influence of development within areas on the urban fringe, stating that:

*"The diverse history of enclosure and industrialisation has created a patchwork of land-uses. Widespread industrial and housing development has subsumed many of these villages and new development continues to impact upon their distinctive character."*

- 4.10 The extract below shows the location of the appeal site within the LCT and demonstrates the presence of residential, employment and industrial development on the fringes of Ilkeston that lie within the Coalfield Village Farmlands.



*Figure 7: Coalfield Village Farmlands LCT - local extract*

### *Planting and Management Guidelines*

- 4.11 The following guidelines set out within the assessment for the Coalfield Village Farmlands, and are of relevance to the appeal site and local area:
- Small scale woodland planting.
  - Re-establish and enhance physical links between existing isolated woodland and hedgerows
  - Ensure the enhancement and management of hedgerow trees, through selection and natural regeneration, or by planting
  - Encourage the management of scrub and secondary woodland to link with existing habitats and woodland
  - Enhance the visual and ecological continuity of river corridors by management, natural regeneration and planting of riparian trees
  - Ensure the conservation and management of mature/veteran trees within hedgerows
- 4.12 As detailed in Section 2, the appeal proposals offer opportunities to deliver all of the above through the retention and enhancement of hedgerows, new tree planting and creation of new areas of multifunctional green and blue infrastructure linking with the existing woodland and scrub on the site boundaries.

### **SITE-SPECIFIC ASSESSMENT**

- 4.13 Given the above analysis of the Derbyshire Landscape Character Assessment that supports the adopted Core Strategy and Saved Policies, it is clear that the landscape is characterised by the enclosed pattern formed by woodland and trees along watercourses and to field boundaries.
- 4.14 The appeal site is situated within the urban fringe and influenced by the residential and industrial context. The landscape character assessment recognises the influence of enclosure, industrialisation and housing development within the area.
- 4.15 As I examine further below, the appeal site is situated within a well contained landscape that is heavily influenced by development on the edges of Ilkeston that includes employment, industrial and residential development.
- 4.16 This is contrary to the assertion made within Reason for Refusal 5 that the open landscape is characteristic of the area.
- 4.17 **Plan 2: Site Context** shows the location of the appeal site overlaid onto an aerial image. This clearly demonstrates the context of the site including the urban edge of Ilkeston that, in turn, includes industrial and commercial development on the sites of the former ironworks that extends to the south of Low's Lane and Sowbrook Lane. As set out above when examining the policy context, the former ironworks east of Ilkeston Road is part of the Stanton Regeneration Site and has consent for large-scale employment development. An extract of Plan 2 is included below.



*Figure 8: Extract of Plan 7 - Site Context*

- 4.18 **Plan 5: Visual Context** shows a more detailed aerial image of the appeal site that shows the features described below. I refer to the Representative Viewpoints (**Plan 6**) when describing the character and features.
- 4.19 The site comprises a single field of approximately 10 hectares that is managed as grassland, bound by native hedgerows and hedgerow trees. A length of hedgerow extends west into the site from Ilkeston Road. A single oak tree lies within the field to the northeast of the site (**Photoviewpoint 13**).
- 4.20 The land slopes gently from Sowbrook Lane to the south towards the Nutbrook Canal that bounds the site to the north.
- 4.21 To the east, the site is bound by mature hedgerows and trees that run alongside Ilkeston Road, which extends north from the junction with Sowbrook Lane and Low's Lane on the south-eastern corner of the site (**Photoviewpoints 1 – 3**).

- 4.22 To the east of Ilkeston Road, Private's Pond fishing lake is located alongside the Nutbrook Canal, on the edge of the former ironworks. The pond is set amongst trees and scrub that run alongside the road, containing the land beyond (**Photoviewpoint 7**).
- 4.23 To the south, Sowbrook Lane extends from the junction westwards towards Kirk Hallam. A line of electricity poles and overhead lines run alongside the southern boundary, north of Sowbrook Lane. The hedgerow along Sowbrook Lane is maintained and clipped, allowing views of the residential development at Hallam Fields beyond the Nutbrook corridor north of the canal (**Photoviewpoint 6a**)
- 4.24 A row of 12 terraced cottages (Sowbrook Cottages / The Twelve Houses) extend along the southern edge of Sowbrook Lane at the road junction to the south of the site (see photograph below). A substation and edges of the former quarry and works at Stanton Precast front the road beyond palisade fencing (**Photoviewpoint 6b**).



*Figure 9: Sowbrook Cottages*

- 4.25 To the west, the site is bound by a belt of trees, woodland and scrub that run along the line of the former Staunton Arm of the Nutbrook Canal. A fishing pond, Rough's Hole, lies to the northwest of the site, adjacent to the canal and set within an area of trees, hedges and scrub.
- 4.26 The northern edge of the site alongside the canal is defined by mature trees and hedgerows, with some gaps in the vegetation west of Stanton Bridge (**Photoviewpoint 8**).
- 4.27 To the north of the site, the canal runs under Stanton Bridge. There is a small private car park and fishing platforms belonging to the Stanton Angling Club alongside the towpath. The canal is lined with trees and vegetation, containing the site.

- 4.28 To the north of the canal, the Nut Brook corridor is defined by pastoral fields that cross the floodplain, defined by native hedgerows and hedgerow trees. The Nutbrook Trail, part of National Cycle Route 67, runs alongside the brook to the north of the floodplain and is lined with trees and hedgerows along its length.
- 4.29 The appeal site is separated from the fields within the floodplain by the canal, embankment and trees and vegetation that line the canal and towpath.
- 4.30 The smaller scale fields and field pattern within the Nutbrook Corridor and floodplain, hedgerows, hedgerow trees and lines of trees and small woodlands along the canal are distinctive features and representative of the key characteristic identified for the wider Coalfield Village Farmlands LCT.
- 4.31 Beyond the Nutbrook Trail, the residential edge at Hallam Fields provides a developed backdrop (**Photoviewpoints 9 and 10b**). Houses and areas of greenspace, play areas and public open space front onto the trail (**Photoviewpoint 11**).
- 4.32 To the southwest of the canal, the residential edge at Kirk Hallam and recreation ground lie alongside the canal (**Photoviewpoint 10a** and photograph below)



*Figure 10: Kirk Hallam Recreation Ground*

#### **STANTON REGENERATION SITE**

- 4.33 As detailed above, a large scale employment scheme has been consented on the Stanton Regeneration Site to the east of Ilkeston Road. Copies of the Illustrative Masterplan and Parameter Plan or the development are contained at **Appendices 2 and 3**.

- 4.34 Once completed, the development will introduce large scale warehouse buildings with a height of up to 24 metres east of Ilkeston Road, extending up to 31m high within the centre of the site. These buildings will form a backdrop to the appeal site and will be visible across the skyline from within the wider area. The development of the former Ironworks will re-introduce large scale development where there were the former smelters of the ironworks, reinforcing the urban and commercial context within which the appeal site is situated on the edge of Ilkeston.
- 4.35 At **Appendix 4**, I include copies of the photomontages of the employment scheme included within the Environmental Statement prepared to support the consented application. These show the scale and massing of development that may be delivered under the consented scheme.
- 4.36 The Stanton Regeneration Site proposals also include for strategic Green Infrastructure and recreation improvement alongside the Nutbrook Canal and Nutbrook Trail, tying in with the green corridor that extends alongside the canal to the north of the appeal site.
- 4.37 In addition to the employment site, the allocation of land south of Low's Lane for up to 1,000 dwellings will, once delivered, extend the residential edge of Ilkeston to the south, further enclosing the site within the developed context and urban edge.

## 5 VISUAL CONTEXT

### EXTENT OF VIEWS

- 5.1 To inform the visual assessment, a Zone of Theoretical Visibility (ZTV) of the proposed development was prepared. The ZTV was based upon the developable areas as shown on the Illustrative Masterplan for the appeal scheme and assumes a ridge height of development at 9m AOD. This provides for a range of dwelling types and sizes.
- 5.2 The ZTV utilises LiDAR data that includes vegetation and built form, thereby more accurately showing the extent of potential visibility of the proposed housing. The 3d base mapping used to generate the ZTV is shown on **Plan 3: Topography**.
- 5.3 The plan shows the location of the appeal site on the lower-lying land at the edge of the Nutbrook Corridor that leads to the Erewash Valley to the east. To the north, beyond the brook and canal, the urban area of Ilkeston at Hallam Fields lies on the rising land between the valleys. Kirk Hallam lies on the rolling landform to the northwest of the site, beyond a shallow tributary valley. To the south, the land rises towards a ridgeline at Stanton by Dale.
- 5.4 The ZTV is illustrated on **Plan 3** and shows the limited extent of visibility of the appeal site and proposed development.
- 5.5 As described above, the dense trees and vegetation alongside the canal and watercourses, combined with woodland to the west, south and east contain the site and limit publicly available views to those from adjacent roads, rights of way to the north of the site on the towpath and Nutbrook Trail and permissive paths within the appeal site itself.
- 5.6 Whilst the ZTV indicates potential views of the proposals from within the wider on the rising slopes to the south adjacent to Stanton by Dale, the site is not discernible in these wider elevated views, being set beyond intervening trees, woodland and large scale industrial development south of Sowbrook Lane and Low's Lane (**Photoviewpoint 16**).

### VISUAL CONTEXT

- 5.7 Given the enclosed nature of the local landscape and containment by landform to the south and trees and woodland on the lower lying land alongside the Erewash Valley and Nutbrook Corridor, that majority of views within the locality of the appeal site are short to middle distance.
- 5.8 I provide an overview of the visual context and composition of views below. More detailed consideration is given to the views obtained by each group of visual receptors in Section 6 when assessing the visual effects of the proposed development.

### *VIEWS FROM THE EAST, SOUTH AND WEST*

- 5.9 Views of the site from the east, south and west are limited by intervening vegetation alongside Ilkeston Road, the western boundary and south of Sowbrook Lane.
- 5.10 As illustrated by **Photoviewpoints 1 -3**, views into the site from Ilkeston Road are screened by the tall hedgerow and trees alongside the road.
- 5.11 Views beyond the appeal site and the Nutbrook Canal can be obtained from the junction of Ilkeston Road and Sowbrook Lane (**Photoviewpoint 4**) and Sowbrook Lane to the south of the site (**Photoviewpoints 6a and 6b**), as well as from the permissive path to the south of the site where the higher ground allows views over the canal side vegetation. In these views across the site, the residential development at Hallam Fields forms a developed backdrop on the rising land beyond the Nut Brook corridor and Erewash Valley.
- 5.12 Looking to the east from Sowbrook Lane and the permissive paths within the site (**Photoviewpoint 15**), views towards the Stanton Works to the east are screened by intervening trees and woodland alongside Ilkeston Road.
- 5.13 With the development of the consented warehousing / employment scheme at the Stanton Regeneration Site, the sheds will be visible on the skyline beyond Ilkeston Road to the east, above the treed backdrop.

### *VIEWS FROM THE NORTH*

#### *Looking north across the Nutbrook Corridor*

- 5.14 As illustrated by **Photoviewpoints 9 and 10b**, there are intermittent views from the canal towpath northwards across the fields within the floodplain of the Nut Brook Corridor towards the residential edge formed by properties at Hallam Fields adjacent to the Nutbrook Trail, set amongst trees and hedgerows that run alongside the trail. The well treed backdrop and woodland alongside the watercourses enclose the corridor and limit outward views beyond the residential edges.
- 5.15 There are also glimpsed views of housing at Kirk Hallam to the west, west beyond the recreation ground (**Photoviewpoint 10a**).

#### *Views across the appeal site from alongside the Nutbrook Canal*

- 5.16 As the canal towpath passes the site boundary, there are framed views across the eastern part of the site between trees and hedgerows along the watercourse (**Photoviewpoint 7**). The substation and development at the concrete works to the south of the site sit on the skyline beyond Sowbrook Lane.

- 5.17 From the permissive path leading to Rough's Hole west of Ilkeston Road, there are views across the site towards Sowbrook Lane (**Photoviewpoint 13**). Views beyond the site boundaries are limited by hedgerows, trees and woodland to the site boundaries and in the local area. The roofs of the cottages on Sowbrook Lane, substation and development at the concrete works beyond sit in the treed skyline.

#### *Views from the Nutbrook Trail*

- 5.18 When travelling along the Nutbrook Trail (National Cycle Route 67) north of the Nut Brook, views to the south across the floodplain are predominantly screened and filtered by intervening hedgerows and trees alongside the path. As illustrated by **Photoviewpoint 11**, development on the edge of Hallam Fields fronts onto the trail, set beyond public open space incorporating play areas and attenuation features.
- 5.19 To the north, there are glimpsed views between hedgerow trees across the fields on the floodplain towards the appeal site. In these transient and glimpsed views, the northern edge of the site is glimpsed between the intervening trees and vegetation alongside the canal. This is illustrated by **Photoviewpoint 12**.

#### **VISUAL RECEPTORS**

- 5.20 The following groups of Visual Receptors (groups of people) who have views of the site may be affected by the proposed development have been identified. The Representative Viewpoints for each of these groups have been indicated on **Plan 5: Visual Context**.
- Users of Ilkeston Road (Viewpoints 1 – 3)
  - Users of Sowbrook Lane (Viewpoints 4 – 6)
  - Users of the Nutbrook Canal Towpath (Viewpoints 7 – 10)
  - Users of the Nutbrook Trail (Viewpoints 11 and 12)
  - Users of the Permissive Paths within the Site (Viewpoints 13 – 15)
  - Anglers using Rough's Hole fishing pond
  - Residents of properties on Sowbrook Lane (Twelve Houses)
- 5.21 The visual effects arising from the proposed development are assessed for each group of visual receptors in Section 6.

## 6 LANDSCAPE AND VISUAL EFFECTS

- 6.1 The appeal site is situated within an urban fringe context, being influenced by the existing residential development that lies adjacent to the Nutbrook Canal and Nutbrook Trail at Kirk Hallam and Hallam Fields to the north, as well as the industrial and commercial development surrounding the site and associated road network.
- 6.2 Once the consented employment development on the Stanton Regeneration Site is completed, the context of the site will be further urbanised, with large scale buildings of up to 24m height alongside Ilkeston Road.

### LANDSCAPE EFFECTS

#### LANDSCAPE VALUE

- 6.3 My assessment has found that the appeal site is not of any particular value above that of an ordinary landscape on the edge of the settlement and which is influenced by urban features and land uses.
- 6.4 The site is not situated within a landscape that is subject to either a statutory or local non-statutory landscape designation, and I do not consider it to be a valued landscape under the provisions of paragraph 174(a) of the NPPF.
- 6.5 With the exception of the boundary hedgerows and three category A field trees, the site does not contain any distinctive features.
- 6.6 The site is experienced within the peri urban context when travelling along local roads and footpaths, with development surrounding the site and on the rising land of Hallam Fields to the north as a backdrop.
- 6.7 The proximity of Ilkeston Road, including the Stanton Bridge and traffic movements detract from the sense of tranquillity in this area.
- 6.8 Whilst users of the permissive paths that run alongside the site boundaries have views across the site, they are limited by adjacent development and vegetation, with there being no recognised viewpoints or views of distinctive landmarks or features. The former smelters of the ironworks that once dominated the skyline have been demolished.
- 6.9 The levels of traffic using Ilkeston Road, including HGVs associated with the industrial estates introduce substantial movement and noise within the area, along with industrial and commercial activities across the local area. The site is not situated within a tranquil, remote or rural area.
- 6.10 The listed cottages on Sowbrook Lane to the south are separated from the appeal site by mature hedgerow and tree planting at the junction with Ilkeston Road. With the development of the

consented employment site and improvements to the road junction at the frontage of the cottages, their setting will be further affected.

- 6.11 Features that are of localised value, including the hedgerows and habitats to the site boundaries associated with the former Staunton Arm of the canal are to be retained in the proposals, along with the associated waterbodies and canal.

#### LANDSCAPE SUSCEPTIBILITY

- 6.12 As examined in Section 2, the appeal proposals offer opportunities for enhancements to the boundary vegetation, with substantial offsets incorporating multifunctional accessible greenspace with new hedgerow and tree planting, as well as areas managed for biodiversity, including attenuation ponds and areas of meadow grassland.
- 6.13 Housing of the scale proposed on the site is in keeping with the local context, including development located alongside edges of the Nut Brook floodplain and the canal. The development will be situated within a peri urban context on the urban edge, with housing, recreational open space and associated infrastructure being characteristic of the area.
- 6.14 With the completion of the consented employment development east of Ilkeston Road and the development of a further 1,000 dwellings on the Stanton Regeneration Site south of Low's Lane, the site will be further assimilated into the urban context.
- 6.15 The site and local landscape are of a **low susceptibility** to the proposed development and associated mitigation and enhancement measures including the landscape and green infrastructure to the site boundaries and frontage with the Nutbrook Canal.

#### LANDSCAPE SENSITIVITY

- 6.16 As clarified in published guidelines, GLVIA<sup>3</sup> defined sensitivity as:

*"A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor."*

- 6.17 As assessed above, the site is situated within an ordinary landscape on the settlement edge, influenced by urban land uses and development. The site has a low susceptibility to the change associated with the proposed development, which will retain and enhance features of localised value, including waterbodies, trees and hedgerows. I therefore consider the site to have a **low landscape sensitivity** to the appeal proposals.

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<sup>3</sup> Guidelines for Landscape and Visual Impact Assessment, Third Edition (2013) The Landscape Institute and IEMA – Glossary, page 158

## EFFECTS OF THE PROPOSALS

- 6.18 Given the contained nature and scale of the appeal site and proposals, impacts upon the landscape and townscape context are limited and localised, resulting in a **minor to moderate magnitude of change**.
- 6.19 Whilst the proposals will result in the loss of an undeveloped greenfield site and some lengths of hedgerow required to facilitate access, the remaining boundary hedgerows and adjacent features alongside the canal, including water bodies and vegetation are to be retained, preserving the structure of the field boundaries and containment within the localised context. The proposals allow sufficient space for the replanting of hedgerows to site boundaries beyond the access road and footways.
- 6.20 The nature and scale of the proposed development is in keeping with that in the local area and existing developed, peri urban context. The proposals will not introduce uncharacteristic or prominent development in a rural location.
- 6.21 Furthermore, the proposals provide substantial areas of green infrastructure and open space, including fronting the Nutbrook Canal where there are opportunities to provide additional landscape planting and create a soft transitional edge and attractive frontage to the canal that reflects the housing that adjoins the floodplain alongside the canal and Nutbrook Trail to the north and east.
- 6.22 The contextual fit of the appeal scheme within the urban edge context is illustrated on **Plan 7: Site Context – Consented Development, Allocated Land and Appeal Scheme** at the rear of this report. The drawing shows the illustrative masterplan overlaid on an aerial image, with the Stanton Works masterplan also overlaid. As examined further below in Section 7 of this Statement, the plan illustrates how the green infrastructure corridor along the Nut Brook floodplain will be retained alongside the canal and Nutbrook Trail.
- 6.23 Development of the appeal site reflects the existing pattern and form of development that extends alongside the canal and watercourse, with both residential and employment development adjoining the canal and providing amenity, biodiversity, landscape and recreational benefits that tie-in with the wider landscape and Nut Brook corridor that penetrates the built edge.
- 6.24 Given the above, factors, I have assessed the appeal proposals as giving rise to **limited and localised adverse effects** upon the character and appearance of the area. I do not consider these to be significant.
- 6.25 The proposals also provide some enhancements to the landscape structure and offer benefits associated with the biodiversity and recreational value of the area. I consider these factors further at Section 8 in relation to the Nutbrook Strategic Green Infrastructure Corridor.

## VISUAL EFFECTS

- 6.26 As I have demonstrated through the preparation of a LiDAR ZTV and fieldwork, the appeal site and proposed development will be well contained within the landscape, with views limited to those obtained from adjacent roads, public footpaths along the canal towpath and permissive paths that run along the northern and north-western site boundaries.
- 6.27 Outward views from the Nutbrook Trail are filtered by trees and hedgerows, with there being glimpsed views across the floodplain from the trail towards the eastern edge of the site beyond trees and hedgerows alongside the canal.
- 6.28 For users of the recreational leisure routes along the towpath and Nutbrook Trail, the appeal site is experienced as part of sequential views on the edge of Ilkeston where residential development on the edges of the floodplain forms a backdrop, set beyond areas of open space and recreation facilities including play areas and sports pitches.
- 6.29 When the consented employment development on the Stanton Regeneration Works is completed, the site will be set against a backdrop of warehouse style buildings on the skyline, set beyond the trees along Ilkeston Road.

## VISUAL RECEPTORS

- 6.30 As summarised above, the appeal site is well contained by existing vegetation and the development that surrounds it. This limits the extent of views to those experienced from within a highly localised area within and surrounding the site and in glimpsed views from the Nutbrook Trail and canal towpath within 500m of the site.
- 6.31 As illustrated by Viewpoint 16 taken from the hillside to the south, in wider elevated views the site is set beyond intervening development and in the context of the urban edge, including both industrial and residential development. The proposals would not be discernible in these more distant views, forming part of the wider developed backdrop on the urban edge.
- 6.32 ES Viewpoint 6 for the consented employment scheme within the Stanton Regeneration Site contained at Appendix 4 shows the scale of development and change associated with the scheme and how I may change the overall visual context in wider views.
- 6.33 I have identified the following groups of people who may experience views of the site and whose views and visual amenity may be affected by the proposals. I consider the effects for each, with reference to the representative viewpoints as illustrated on **Plan 6**.

### *Users of Ilkeston Road*

- 6.34 Given the mature hedgerows and trees alongside Ilkeston Road, there are limited views into the site, even during the winter months (Viewpoints 1 and 2).

- 6.35 There are glimpsed views into the site from Stanton Bridge as it passes over the Nutbrook Canal to the northeast of the site (Viewpoint 2). There are also view across the southern part of the site beyond the clipped boundary hedgerow from the junction of Ilkeston Road and Low's Lane (Viewpoint 4).
- 6.36 As illustrated by the photomontages of the consented employment proposals contained at Appendix 4 (ES Viewpoints 1 and 9), the context within which the site is experienced from Ilkeston Road will become more developed with large scale buildings forming a backdrop. In addition, the junction improvements at Ilkeston Road / Low's Lane will further urbanise the visual context with associated infrastructure and signage.
- 6.37 Users of Ilkeston Road are of a **low sensitivity** to the proposals. This reflects the limited views across the site from the road and pavements, the focus of road users upon the road and the presence of traffic and adjacent development detracting from the views.
- 6.38 The proposals allow for the planting of additional trees and hedgerows within substantial buffers to the site boundaries. This will effectively soften the development as experienced from the roadside. The main access off Ilkeston Road will not appear out of context in the urban fringe location, seen in context with the existing road junctions and infrastructure.
- 6.39 Given the above, there would be a **minor magnitude of change** and resulting **minor adverse effect** on the views and visual amenity for users of Ilkeston Road arising from the proposed development.

#### *Users of Sowbrook Lane*

- 6.40 As illustrated by Viewpoints 5 and 6, the boundary along Sowbrook Lane is more open, with the hedgerow maintained at a lower level to the western end of the southern site boundary. As a consequence, there are views across the site towards the residential backdrop formed by properties to the north of Nut Brook at Hallam Fields.
- 6.41 The site is experienced in context with the substation and concrete works to the south of the site, as well as the cottages at the junction with Ilkeston Road, placing the site within the urban edge context.
- 6.42 As with views from Ilkeston Road, the construction of the consented employment development at the Stanton Regeneration Site will introduce a developed backdrop in views across the site when approaching from the west.
- 6.43 Users of Sowbrook Lane have a **low to medium sensitivity** to the proposed development, reflecting the more open views from the road across the site towards the residential backdrop at Hallam fields beyond.

- 6.44 Whilst the proposed development will replace the existing views across the site with houses, they will be set beyond and fronting a substantial landscape buffer and area of green infrastructure, including new tree and hedgerow planting that will reinforce the hedgerows to the roadside and provide a soft edge and transition. Views will be highly localised from along the road when approaching from the west and experienced in context with the existing development to the south including the substation, palisade fencing and cottage and within the peri urban context on the edge of Ilkeston.
- 6.45 The access of Sowbrook Lane and associated footways and widened carriageway will not appear incongruous in this location, with there being accesses to the immediate west associated with the former quarry access (Footpath 15) and the junction with Ilkeston Road.
- 6.46 The localised changes to views when travelling along Sowbrook Lane will give rise to a **minor to moderate magnitude of change** and corresponding **minor to moderate adverse effect** on the views and amenity of users of Sowbrook Lane. These effects will not be significant, given the urban edge context for road users and limited extent of views that may be affected.

#### *Users of the Nutbrook Canal Towpath and Nutbrook Trail*

- 6.1 As illustrated by Viewpoint 8, there are localised views into the appeal site from the canal towpath to the immediate north of the site where the canal passes alongside the site boundary adjacent to Ilkeston Road and the Stanton Regeneration Site beyond. These views are limited to a short stretch of the canal, where there are framed views between mature trees, hedgerows and woodland that extend alongside the canal. Beyond the northern edge of the site, woodland at Rough's Pool screens views into the site.
- 6.2 As illustrated by Viewpoints 9 – 12, the appeal site is not prominent in views from along the Canal towpath or the Nutbrook Trail. Where the site is perceived, it is only in glimpsed between intervening vegetation and viewed in the context of existing development and as part of a sequential viewing experience alongside existing developments within the urban context.
- 6.3 Once the employment scheme is developed at the Stanton Regeneration Site to the east, the backdrop and visual context for anglers and users of the local footpaths and recreational routes will be changed to include large scale buildings on the skyline. The proposals will be subservient to the large buildings and of a domestic scale and character.
- 6.4 Users of the canal towpath and Nutbrook Trail have a **low to medium sensitivity** to the proposed development. This reflects the limited views into the site as part of wider recreational routes set within the urban edge and developed context.
- 6.5 Where the towpath passes the site, the proposals retain an area of greenspace that incorporates a range of informal and formal recreational features including a LEAP, community garden and footpath / circular walk. These include landscape and biodiversity enhancements including attenuation ponds managed for wildlife, areas of meadow grassland and tree and shrub planting.

- 6.6 The location of recreational facilities alongside the canal and the setting back of the residential frontage beyond is characteristic of the area and residential development at Kirk Hallam and Hallam Fields that adjoin the Nut Brook floodplain. The proposals would therefore not appear out of character or incongruous.
- 6.7 Given the limited extent of views and characteristic transitional edge to the north of the site, fronting the canal the proposals will give rise to a **minor magnitude of change** to views when travelling along the paths, and resulting **minor adverse visual effects** for users of the Canal towpath and Nutbrook Trail.

*Users of the Permissive Paths within and adjacent to the Site*

- 6.8 As illustrated by Viewpoints 12 – 15, there are open views across the appeal site from the permissive paths that connect with Rough's Hole fishing pond to the northwest of the site. Hedgerows and trees bounding the site and woodland and tree belts contain the site limiting outward views beyond the immediate site context.
- 6.9 Development beyond the site is present in the views, including the substation and cottages along Sowbrook Lane and cranes and infrastructure at the SATEBA precast concrete works. When the consented employment development at the Stanton Regeneration Site is completed, the warehousing will be visible beyond Ilkeston Road as a backdrop and skyline feature looking to the east.
- 6.10 Users of the permissive paths within and adjacent to the site will have a **medium to high sensitivity** to the proposed development. This reflects the proximity of the development and use of the paths as part of recreational routes that link the town with the wider countryside and Stanton by Dale to the south, whilst also acknowledging the urban edge context and transitional nature of the views across the site as part of longer walks.
- 6.11 The paths will be set within areas of green infrastructure surrounding the site, providing circular walks, trim trails, play areas and opportunities for informal recreation set within an attractive landscape managed with wildflower and meadow grassland and trees and shrubs. For users of the paths, there will be a **moderate magnitude of change**, reflecting the views across the site as forming part of wider routes and with the visual change being limited in extent and duration.
- 6.12 On balance, I consider the proposals to give rise to **minor to moderate adverse effects** on the visual amenity of user so the permissive paths. Whilst there will be a change to the views from the undeveloped field to the housing development, the paths will be set within an attractive greenspace that reflects the character of the local area and similar paths within areas of open space on the edge of the canal and Nutbrook trail. I do not consider these effects to be significant.

*Anglers fishing at Rough's Hole and along the Nutbrook Canal*

- 6.13 Anglers fishing at Rough's Hole are looking inwards across the water, with outward views screened and heavily filtered by the trees and hedgerows that surround the pond. The experience of the surrounding landscape and townscape forms only part of their activities. For anglers on the canal to the north of the site, there are views of the northern site area, but these are limited to glimpsed and framed views by boundary vegetation. The site does not facilitate any wider views from this location.
- 6.14 Given the above, the anglers are of a **medium sensitivity** to the proposed development. This reflects the proximity to the site and duration of views when fishing in a static position or remaining in a localised area.
- 6.15 The proposals set back the built edge from the canal and Rough's Hole beyond substantial areas of green infrastructure which will incorporate improved accessibility to the pond as well as additional tree and shrub planting. The houses will front onto open spaces, providing natural surveillance and a positive interface with the open space and adjacent land uses. There will be a **moderate magnitude of change** for the anglers. This will predominantly be when walking alongside the canal to reach the pond and fishing platforms.
- 6.16 The introduction of residential development into the local context is not uncharacteristic of the visual experience. The proposals will give rise to **minor to moderate adverse** effects on the views and visual amenity of anglers using Rough's Hole pond and the towpath north of the site for fishing. I do not consider these effects to be significant.

*Residents of Sowbrook Lane Cottages / Twelve Houses*

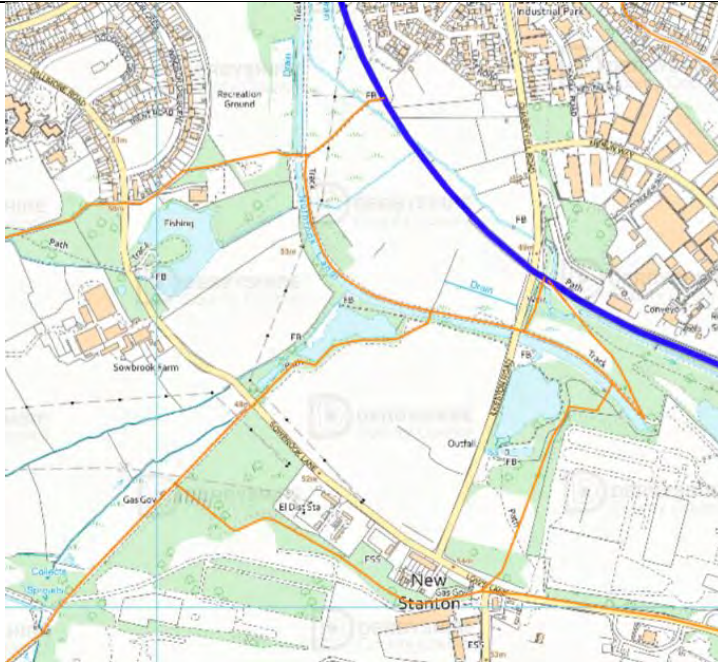
- 6.17 Residents are of a **high sensitivity** to visual change as experienced from their homes and when coming and going from their properties on a daily basis.
- 6.18 As illustrated by Viewpoint 4, the southern site boundary adjacent to Sowbrook Cottages comprises a dense mature hedgerow and trees. This provides a visual screen from the ground floors of the properties which front onto the road. There are no views towards the site from the rear gardens. The cottages are located next to the junction with Ilkeston Road. The visual amenity of residents is currently influenced by the existing traffic.
- 6.19 The proposed development is set back from the boundary with Sowbrook Lane beyond the retained hedgerows and trees and a green corridor and landscape buffer that offers opportunities for new tree planting to further filter and soften views across the site. The development will give rise to a **minor to moderate magnitude of change** to the views and visual amenity of the residents and **minor to moderate adverse effects**.

## 7 NUTBROOK STRATEGIC GREEN CORRIDOR

- 7.1 Whilst the appeal site currently makes a limited contribution to the GI framework, comprising an agricultural field containing few features of note except for the boundary hedgerows and permissive paths that connect with the angling pond at Rough's Hole adjacent to the site, the proposals offer opportunities to provide substantial enhancements to the function of the landscape and GI elements within the locality.
- 7.2 This includes the objectives of Strategic Policy 5 in the emerging Core Strategy for the proposed Strategic Green Infrastructure Corridors. Notwithstanding that the appeal site does not currently provide or meet the objectives of the proposed Strategic Green Infrastructure Corridors, there already exists an established corridor that runs alongside the Nutbrook Canal and Nutbrook Trail.
- 7.3 This corridor includes the recreation and leisure routes of the canal towpath and Nutbrook trail, alongside which the residential edge at Hallam Fields and Kirk Hallam and associated recreation grounds, play areas and informal public open space front the rights of way that run either side of the floodplain, creating a green corridor that penetrates the settlement to the northwest and extends into the Stanton Regeneration Site to the southeast. These elements provide an urban edge and settled context and links with a range of facilities and recreation routes alongside the fields of the floodplain.
- 7.4 The above is illustrated on the photosheets (**Plan 6**) and described above in relation to the Site Context and Visual Amenity.
- 7.5 The fishing ponds at the Stanton Works east of Ilkeston Road and Rough's Hole to the immediate northwest of the appeal site and associated permissive paths that link with the canal and local rights of way provide a further recreational resource.
- 7.6 There are proposals for the upgrading of some of these permissive paths to link with the towpath and Nutbrook trail as part of proposed Local Cycle Network. This includes the permissive path that runs alongside the north-western site boundary, linking Sowbrook Lane and the canal towpath, as well as wider links across the floodplain to the north.
- 7.7 The proposed links with the cycle network are illustrated by the orange routes shown on the extract below from the online Derbyshire Mapping Portal<sup>4</sup>:

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<sup>4</sup> [www.maps.derbyshire.gov.uk](http://www.maps.derbyshire.gov.uk)



*Figure 11: Extract from the Derbyshire Mapping Portal - Local Cycle Networks*

- 7.8 As summarised in Section 2, the appeal proposals retain existing landscape features within and adjacent to the site, including the pond at Rough's Hole and defunct pond that both lie along the former Stanhope Arm of the canal and associated vegetation to the west of the site.
- 7.9 The proposals meet the objectives for the Nutbrook Strategic Green Infrastructure Corridor through the following: :
- **Natural flood management** - Provision of SuDS set within areas of green infrastructure and open space, including attenuation basins managed for wildlife and biodiversity;
  - **Biodiversity improvement** – Through managing of existing habitats and creation of new areas for wildlife and biodiversity improvements;
  - **New recreational facilities** – Including formal and informal recreation provided by play areas, trim trail and areas of accessible greenspace around the perimeter of the site and running through the development; and
  - **Extended recreational route ways** – Upgrading the existing permissive paths to enhance connectivity in perpetuity and connect with the existing foot and cycle network including the recreational routes along the canal towpath and Nutbrook Trail to the north and wider rights of way within the countryside to the south.
- 7.10 The proposals on the appeal site plug into the existing green infrastructure corridor alongside the canal, offering a range of landscape and biodiversity enhancements that link with existing features, including attenuation features and recreation leisure routes , as well as offering new recreational and amenity facilities comprising both formal play and informal areas of accessible greenspace.

- 7.11 There are also opportunities to provide for community gardens and other outdoor activities including the circular recreation route and associated trim trial.
- 7.12 The appeal scheme offers opportunities to facilitate the upgrading of the permissive paths to cycle routes as part of the proposed Local Cycle Network, set within areas of green infrastructure and recreation routes set within areas of open space provided within the site.
- 7.13 The above enhancements to the existing Green Infrastructure Corridor alongside the Nutbrook Canal associated with the appeal proposals and compatibility with the landscape and recreational framework are illustrated on **Plan 7: Site Context – Consented Development, Allocated Land Use and Appeal Scheme**.
- 7.14 The drawing shows the Illustrative Masterplan for the appeal scheme alongside the consented employment development to the east of Ilkeston Road, with the area of Strategic Green Infrastructure to the north of the development between the Nutbrook Canal and the Nutbrook Trail. An extract of Plan 7 is included below:



*Figure 12: Extract of Plan 7*

## 8 SUMMARY AND CONCLUSIONS

### REASONS FOR REFUSAL

- 8.1 Reason for Refusal 5 alleges that the appeal proposals would lead to the loss of the open landscape that is characteristic of the areas and cause significant harm to the visual amenities of the area. The reason for refusal was informed by an assessment contained in the Officer Report, which also considered the proposals to have an urbanising influence in a rural landscape.
- 8.2 The proposals were therefore deemed by the Council to fail to accord with Saved Policy H12- Quality & Design, and Core Strategy Policy 10: Design and Enhancing Local Identity.
- 8.3 My evidence has considered how the appeal proposals have been developed to be sensitive to the local context, incorporating existing landscape features and offering opportunities for the provision of substantial areas of multifunctional green and blue infrastructure that retain and enhance existing landscape features, as well as providing benefits for biodiversity and recreation.

### EFFECTS ON THE CHARACTER AND APPEARANCE OF THE AREA

#### LANDSCAPE CONTEXT

- 8.4 The appeal site is situated within an urban fringe context, being influenced by the existing residential development that lies adjacent to the Nutbrook Canal and Nutbrook Trail at Kirk Hallam and Hallam Fields to the north, as well as the industrial and commercial development surrounding the site and associated road network.
- 8.5 Once the consented employment development on the Stanton Regeneration Site is completed, the context of the site will be further urbanised, with large scale buildings of up to 24m height alongside Ilkeston Road.
- 8.6 The Derbyshire Landscape Character Assessment that supports local policy describes the Coalfields Village Farmlands Landscape Type within which the appeal site is situated as a small-scale, organic landscape with small woodlands, copses, linear tree-belts and hedgerow trees.
- 8.7 The landscape character assessment also identifies the influence of the built environment across the areas which is described as a settled landscape characterised by towns, many villages and a moderate dispersal of farmsteads.
- 8.8 Given the location of the appeal site on the urban fringe of Ilkeston, surrounded by associated extensive industrial, employment and commercial development, many of the key characteristics identified for the Coalfield Village Farmlands are not present, having been lost to the urban and industrial development of the landscape.

- 8.9 Trees and woodland along the course of the Nutbrook Canal and Nut Brook are characteristic of the wider area, providing enclosure within the local landscape, combining with hedgerows and trees to field boundaries that run along the roads on the urban edge.
- 8.10 The appeal site is situated within a well contained landscape that is heavily influenced by development on the edges of Ilkeston that includes employment, industrial and residential development.
- 8.11 This is contrary to the assertion made by Reason for Refusal 5 that the open landscape is characteristic of the area. It is also contrary to the assessment of visual impact in the Officer Report that considers the appeal site to be set within a rural landscape.

#### LANDSCAPE EFFECTS

- 8.12 The site has a low sensitivity to the appeal proposals. The site is not situated within a landscape that is subject to either a statutory or local non-statutory landscape designation, and I do not consider it to be a valued landscape under the provisions of paragraph 174(a) of the NPPF.
- 8.13 My assessment has found that the appeal site is not of any particular value above that of an ordinary landscape on the edge of the settlement and which is influenced by urban features and land uses.
- 8.14 With the exception of the boundary hedgerows and three category A field trees, the site does not contain any distinctive features.
- 8.15 Given the contained nature and scale of the appeal site and proposals, impact upon the landscape and townscape context are limited and localised, resulting in a minor to moderate magnitude of change.
- 8.16 Whilst the proposals will result in the loss of an undeveloped greenfield site and some lengths of hedgerow required to facilitate access, the remaining boundary hedgerows and adjacent features alongside the canal, including water bodies and vegetation are to be retained, preserving the structure of the field boundaries and containment within the localised context.
- 8.17 The proposals allow sufficient space for the replanting of hedgerows and trees to site boundaries beyond the access road and footways and set within area of substantial accessible greenspace. This will result in enhancements to the site boundaries, providing a soft transition and additional native tree and hedgerow planting.
- 8.18 The nature and scale of the proposed development is in keeping with that in the local area and existing developed, peri urban context. The proposals will not introduce uncharacteristic or prominent development in a rural location.
- 8.19 Development of the appeal site reflects the existing pattern and form of development that extends alongside the canal and watercourse, with both residential and employment development adjoining

the canal and providing amenity, biodiversity, landscape and recreational benefits that tie-in with the wider landscape and Nut Brook corridor that penetrates the built edge.

- 8.20 Given the above, factors, I have assessed the appeal proposals as giving rise to **limited and localised adverse effects** upon the character and appearance of the area. I do not consider these to be significant.

#### EFFECTS ON VISUAL AMENITY

- 8.21 The appeal site and proposed development will be well contained within the landscape, with views limited to those obtained from adjacent roads, public footpaths along the canal towpath and permissive paths that run along the northern and north-western site boundaries.
- 8.22 Outward views from the Nutbrook Trail are filtered by trees and hedgerows, with there being glimpsed views across the floodplain from the trail towards the eastern edge of the site beyond trees and hedgerows alongside the canal.
- 8.23 For users of the recreational leisure routes along the towpath and Nutbrook Trail, the appeal site is experienced as part of sequential views on the edge of Ilkeston where residential development on the edges of the floodplain forms a backdrop, set beyond areas of open space and recreation facilities including play areas and sports pitches.
- 8.24 When the consented employment development on the Stanton Regeneration Works is completed, the site will be set against a backdrop of warehouse style buildings on the skyline, set beyond the trees along Ilkeston Road.
- 8.25 I have identified the following groups of people who may experience views of the site and whose views and visual amenity may be affected by the proposals and undertaken an assessment of the likely effects. I summarise these below:

#### USERS OF ILKESTON ROAD

- 8.26 Given the mature hedgerows and trees alongside Ilkeston Road, there are limited views into the site.
- 8.27 The proposals allow for the planting of additional trees and hedgerows within substantial buffers to the site boundaries. This will effectively soften the development as experienced from the roadside. The main access off Ilkeston Road will not appear out of context in the urban fringe location, seen in context with the existing road junctions and infrastructure.
- 8.28 Given the above, there would be a minor magnitude of change and resulting **minor adverse effect** on the views and visual amenity for users of Ilkeston Road arising from the proposed development.

#### *USERS OF SOWBROOK LANE*

- 8.29 Whilst the proposed development will replace the existing views across the site with houses, they will be set beyond and fronting a substantial landscape buffer and area of green infrastructure, including new tree and hedgerow planting that will reinforce the hedgerows to the roadside and provide a soft edge and transition.
- 8.30 The localised changes to views when travelling along Sowbrook Lane will give rise to a minor to moderate magnitude of change and corresponding **minor to moderate adverse effect** on the views and amenity of users of Sowbrook Lane.

#### *USERS OF THE NUTBROOK CANAL TOWPATH AND NUTBROOK TRAIL*

- 8.31 Users of the canal towpath and Nutbrook Trail have a low to medium sensitivity to the proposed development. This reflects the limited views into the site as part of wider recreational routes set within the urban edge and developed context.
- 8.32 The location of recreational facilities alongside the canal and the setting back of the residential frontage beyond is characteristic of the area and residential development at Kirk Hallam and Hallam Fields that adjoin the Nut Brook floodplain. The proposals would therefore not appear out of character or incongruous.
- 8.33 Given the limited extent of views and characteristic transitional edge to the north of the site, fronting the canal the proposals will give rise to a minor magnitude of change to views when travelling along the paths, and resulting **minor adverse visual effects** for users of the Canal towpath and Nutbrook Trail.

#### *USERS OF THE PERMISSIVE PATHS WITHIN AND ADJACENT TO THE SITE*

- 8.34 The proposals will give rise to **minor to moderate adverse effects** on the visual amenity of user so the permissive paths. Whilst there will be a change to the views from the undeveloped field to the housing development, the paths will be set within an attractive greenspace that reflects the character of the local area and similar paths within areas of open space on the edge of the canal and Nutbrook trail.

#### *ANGLERS FISHING AT ROUGH'S HOLE AND ALONG THE NUTBROOK CANAL*

- 8.35 The introduction of residential development into the local context is not uncharacteristic of the visual experience. The proposals will give rise to **minor to moderate adverse effects** on the views and visual amenity of anglers using Rough's Hole pond and the towpath north of the site for fishing.

#### RESIDENTS OF PROPERTIES ON SOWBROOK LANE

- 8.36 The proposed development is set back from the boundary with Sowbrook Lane beyond the retained hedgerows and trees and a green corridor and landscape buffer that offers opportunities for new tree planting to further filter and soften views across the site. The development will give rise to a minor to moderate magnitude of change to the views and visual amenity of the residents and **minor to moderate adverse effects**.
- 8.37 In summary, none of the groups of visual receptors identified have been assessed as being likely to experience greater than minor to moderate adverse effects on their views or visual amenity. I do not consider any of these effects to be significant.

#### COMPLIANCE WITH POLICY

- 8.38 Reason for Refusal 5 cites the appeal proposals as failing to accord with Core Strategy Policy H 10: 'Design and Enhancing Local Identity' and Saved Policy H12: 'Quality and Design'.
- 8.39 Part 3 of Policy H10 states that outside settlements, new development should conserve or, where appropriate enhance landscape character. The policy goes on to state that proposals will be assessed with regard to the Derbyshire Landscape Character Assessment.
- 8.40 Saved Policy 12 reflects the requirements of Policy H10, requiring proposals to have regard to distinctive landscape features and to provide supplementary landscaping where appropriate, particularly where situated on the established urban fringe.
- 8.41 The Derbyshire Landscape Character Assessment provides details of the specific features, characteristics and qualities of distinctive areas and which informs decision makes when considering development proposals.
- 8.42 As I have demonstrated within my assessment, the appeal site is situated within an area that is heavily influenced by the urban context including both residential and industrial development. Whilst the area shares some of the features of the Coalfield Village Farmlands Landscape Type identified by the published landscape character assessment, these are predominantly trees along watercourses and hedgerows and trees to field boundaries.
- 8.43 The site is separated from the floodplain and distinctive field pattern and character of the Nutbrook Corridor that lies between the canal and Nutbrook Trail and extending into the urban area Ilkeston by the trees and vegetation alongside the canal.
- 8.44 The Derbyshire Landscape Character Assessment also recognises that the area is heavily influenced by urban development, including both industrial and residential areas. The appeal site is situated within the urban fringe and a landscape that is dominated by development. The context is not a rural one, and those key characteristics and features that are identified for the landscape type are limited to those alongside the canal and Nut Brook, where there are distinctive lines of trees along the

watercourses, set within the urban edge context alongside residential and commercial development.

- 8.45 The guidelines for management of the landscape within the Coalfields Village Farmlands include for the preservation and enhancement of woodland, trees and hedgerows to field boundaries and trees to watercourses.
- 8.46 The proposed development will not introduce uncharacteristic elements into the local landscape and include measures for the retention of boundary features, along with providing substantial areas of green infrastructure to site boundaries, including at the frontage with the Nutbrook Canal, where there will be provisions for biodiversity and recreation benefits. This reflects the character of the urban edge alongside the canal in this location. The proposals retain and enhance existing hedgerows and trees that define the site and provide a structure within the local area.
- 8.47 Whilst the proposals will result in the change of the site from a single field to a residential development, any adverse effects will be limited and localised, and not significant.
- 8.48 The development proposals are set within a framework of green infrastructure to the site boundaries that allow for the retention and enhancement of the distinctive characteristics in the area.
- 8.49 Given the above, I consider the appeal proposals to accord with the requirements of Core Strategy Policy H10 and Saved Policy H12.
- 8.50 Residential development of the scale proposed, set back from the canal frontage beyond areas of green infrastructure managed for wildlife and recreational benefits and contained by development along Ilkeston Road and Sowbrook Lane is in keeping with the settlement pattern and character of the area.
- 8.51 The proposals conserve and enhance distinctive landscape features including trees and hedgerows that provide containment and structure alongside the Nutbrook Canal.

#### **NUTBROOK STRATEGIC GREEN INFRASTRUCTURE CORRIDOR**

- 8.52 Reason for Refusal 10 cites that the proposals would be contrary to Policy 5 of the emerging Core Strategy. As I have set out within my evidence, the proposals meet the objectives for the Nutbrook Strategic Green Infrastructure Corridor through the following: :
  - Natural flood management - Provision of SuDS set within areas of green infrastructure and open space, including attenuation basins managed for wildlife and biodiversity;
  - Biodiversity improvement – Through managing of existing habitats and creation of new areas for wildlife and biodiversity improvements;

- New recreational facilities – Including formal and informal recreation provided by play areas, trim trail and areas of accessible greenspace around the perimeter of the site and running through the development; and
- Extended recreational route ways – Upgrading the existing permissive paths to enhance connectivity in perpetuity and connect with the existing foot and cycle network including the recreational routes along the canal towpath and Nutbrook Trail to the north and wider rights of way within the countryside to the south.

8.53 The proposals on the appeal site plug into the existing green infrastructure corridor alongside the canal, offering a range of landscape and biodiversity enhancements that link with existing features, including attenuation features and recreation leisure routes , as well as offering new recreational and amenity facilities comprising both formal play and informal areas of accessible greenspace.

## 9 APPENDIX 1: APPEAL SCHEME – ILLUSTRATIVE MASTERPLAN



10 APPENDIX 2: STANTON REGENERATION SITE: NEW STANTON  
PARK – ILLUSTRATIVE MASTERPLAN

Rev	Date	Description
A	01/08/2021	Initial design and planning
B	22/08/2021	Design development and planning
C	24/08/2021	Design development and planning
D	24/08/2021	Design development and planning
E	24/08/2021	Design development and planning
F	24/08/2021	Design development and planning

UNIT AREA SCHEDULE		
Unit Number	GIA m <sup>2</sup>	GIA sqft
UNIT 1	7893.81 m <sup>2</sup>	84,861 sqft
UNIT 2	14100.41 m <sup>2</sup>	151,776 sqft
UNIT 3	24173.23 m <sup>2</sup>	260,199 sqft
UNIT 4	13665.43 m <sup>2</sup>	146,246 sqft
UNIT 5	10865.68 m <sup>2</sup>	116,389 sqft
UNIT 6	46453.27 m <sup>2</sup>	500,019 sqft
UNIT 7	17315.15 m <sup>2</sup>	186,379 sqft
UNIT 8	18424.17 m <sup>2</sup>	198,316 sqft
UNIT 9	2503.43 m <sup>2</sup>	26,846 sqft
UNIT 10	1155.70 m <sup>2</sup>	12,440 sqft
UNIT 11	1735.68 m <sup>2</sup>	18,683 sqft
UNIT 12	885.25 m <sup>2</sup>	9,529 sqft
UNIT 13	885.25 m <sup>2</sup>	9,529 sqft
UNIT 14	885.25 m <sup>2</sup>	9,529 sqft
UNIT 15	4645.22 m <sup>2</sup>	50,001 sqft
UNIT 16	4645.22 m <sup>2</sup>	50,001 sqft
UNIT 17	4645.22 m <sup>2</sup>	50,001 sqft
UNIT 18	2721.06 m <sup>2</sup>	29,289 sqft
UNIT 19	3183.71 m <sup>2</sup>	34,299 sqft
UNIT 20	7972.38 m <sup>2</sup>	85,814 sqft
UNIT 21	1908.94 m <sup>2</sup>	20,548 sqft
UNIT 22	1908.94 m <sup>2</sup>	20,548 sqft
UNIT 23	1908.94 m <sup>2</sup>	20,548 sqft
UNIT 24	1908.94 m <sup>2</sup>	20,548 sqft
UNIT 25	1908.94 m <sup>2</sup>	20,548 sqft
TOTAL	198622.21 m <sup>2</sup>	2,137,952 sqft

Rail Hub: 3.49 Hectare | 8.62 Acres

- Planning Boundary
- Plot Boundary
- Water Bodies
- Proposed Railway Hub Open Storage
- Proposed New Road Connection
- Proposed Railway Line
- 5m/s Local Substation
- National Cycle Route 67: Existing
- National Cycle Route 67: Section to be removed
- National Cycle Route 67: New Route
- New Footpath Connection between Development Site and Main Way
- Stanton by Dale Footpaths 20 and 24
- Proposed Land to be Safeguarded for Future Highway Improvements



Notes  
Ordnance Survey and Topographical Survey Data licensed from Site Vendor.  
All levels and retaining structures subject to cut and fill analysis by engineer.  
Infrastructure works and landscape design subject to detailed design by specialist consultants.  
To be read in conjunction with Development Framework Plan & Schedule

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Drawing Name: Masterplan - Option C									
Drawing Stage:		PLANNING							
Subsidiary:		50							
SGP File Ref:		20-188-000021							
20-188		04/08/2021		A2		MMS		As @A2	
SGP Project No:		20-188		04/08/2021		Rev		04/08/2021	
Drawing Number:		20-188 - SGP - XX - XX - DR - A - 0010							
Project Code		Stanton by Dale		Rev		04/08/2021		Rev	



1 Land West of Ilkeston Road  
1 : 2000



SCALE 1:2000  
0m 100m 200m

## 11 APPENDIX 3: STANTON REGENERATION SITE: NEW STANTON PARK – PARAMETERS PLAN

A	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
B	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
C	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
D	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
E	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
F	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
G	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
H	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
I	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
J	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
K	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
L	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
M	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
N	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
O	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.
P	15/05/2021	AE	Final Plan Review and key amendments. Road layout updated.

- Planning Boundary**  
Area : 75.75 Ha | 194.58 Ac  
including land to the west of Ilkeston Rd
- Ownership Boundary**  
Area : 0.34 Ha | 0.84 Ac
- Proposed Development Zones**
- Area proposed for biodiversity enhancements**  
Area : 14.24 Ha | 35.15Ac
- Proposed landscape buffers**
- Trees to be removed**  
as FPCR Tree Retention Plan
- Retained Trees**
- Proposed Areas of new Woodland/ Buffer**  
Tree Planting to be specified in Landscaping Plan
- Existing Water Bodies Retained**
- Proposed water bodies**
- Proposed main site access**
- Proposed Rail Hub**  
Area : 3.49 Ha | 8.63 Ac
- Proposed Rail line**
- Proposed New Road Infrastructure**
- National Cycle Route 67: Existing**
- National Cycle Route 67: Section to be removed**
- National Cycle Route 67: New Route**
- Proposed Footpath**
- Stanton by Dale Footpaths 20 and 24**
- Proposed Shared cycle path**  
Connection between Development Site and Merlin Way
- Existing access to be retained**
- Proposed Bat Roost Building**
- Proposed Land to be Safeguarded**  
for Future Highway Improvements
- Maximum development height - 10m**
- Maximum development height - 20m**

**PLOT 1**  
Developable Area:  
5.27 hectare | 13.01 acres  
Proposed Use:  
Eglin, B8 (Storage and Distribution), B8 Parcel Delivery, B8 Trade Counters, B2

**PLOT 2**  
Developable Area:  
26.23 hectare | 69.77 acres  
Proposed Use:  
Eglin, B8 (Storage and Distribution), B8 Parcel Delivery, B8 Trade Counters, B2

**PLOT 3**  
Developable Area:  
17.49 hectare | 43.21 acres  
Proposed Use:  
Eglin, B8 (Storage and Distribution), B8 Parcel Delivery, B8 Trade Counters, B2

**TOTAL**  
Maximum Built Development Floor Space:  
Each individual Plot total GIA quantum to not exceed 60% of the Plot area with a maximum total built quantum to not exceed 261,471sqm.

*Overall quantum of B2 or Eglin buildings shall not exceed collectively 35% GEA across the entire site.*



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Ilkeston  
Stanton by Dale  
Lows Lane

Drawing Name:  
Parameter Plan

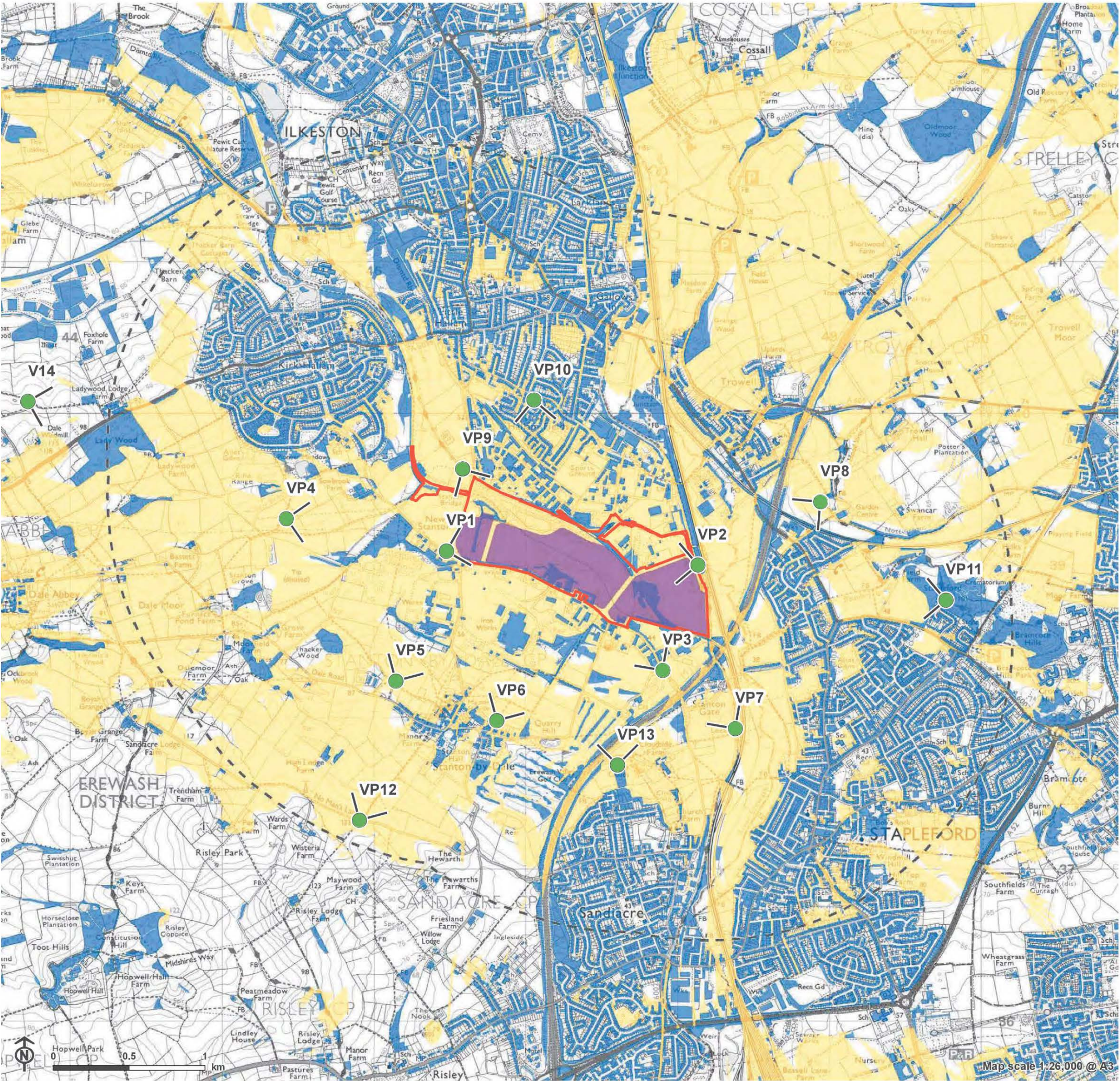
Drawing Stage: PLANNING  
Subsidiary: INFORMATION  
SGP File Ref: 20-188 Masterplan Option 17  
20-188 11/09/2021 AZ MRS J. G. A. P.  
SGP Project No. 20-188 Masterplan Option 17  
Drawing Number:  
20-188 SGP-XX-XX-DR-A-001506  
Filepath: \Projects\20-188 Masterplan Option 17\20-188 SGP-XX-XX-DR-A-001506.dwg



12 APPENDIX 4: STANTON REGENERATION SITE: NEW STANTON  
PARK – ENVIRONMENTAL STATEMENT EXTRACTS –  
APPENDICES 12.1 AND 12.2



Figure 12.3: ZTV and Representative Viewpoints



- Site boundary
- Proposed plot location
- 2km study area
- Viewpoint
- Viewpoint direction
- Screening feature
- Proposed plots visible

034734 2021.11.29

## **Appendix 12.2: Baseline photography and visualisations**



Baseline photograph



OS reference:	446477 E 339097 N
AOD:	54.5m
Direction of view:	74°
Horizontal field of view:	90° (cylindrical projection)

Vertical field of view:	28.4°
Principal distance:	522 mm
Paper size:	841 x 297 mm (half A1)
Correct printed image size:	820 x 280 mm

Camera:	Nikon D750
Lens:	Nikkor AF 50mm f/1.8D
Camera height:	1.5 m (above AOD)
Date and time:	25/03/2021 17:15

Figure: 12.4a

Viewpoint 1: View looking north east from residential properties at the junction of Lows Lane / Sowbrook Lane



Landscape Institute Visualisation Type 3 - AVR Level 0 Photomontage showing maximum ridge height of proposed development

LUC	OS reference: 446477 E 339097 N		Vertical field of view: 28.4°		Camera: Nikon D750	
	AOD: 54.5m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: 74°		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 280 mm		Date and time: 25/03/2021 17:15	

Figure: 12.4b

Viewpoint 1: View looking north east from residential properties at the junction of Lows Lane / Sowbrook Lane



Baseline photograph

LUC	OS reference: 448092 E 339022 N		Vertical field of view: 28.4°	Camera: Nikon D750
	AOD: 41.3m		Principal distance: 522 mm	Lens: Nikkor AF 50mm f/1.8D
	Direction of view: North-west		Paper size: 841 x 297 mm (half A1)	Camera height: 1.5 m (above AOD)
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 260 mm	Date and time: 25/03/2021 13:40

Figure: 12.5a

Viewpoint 2: View looking west from the Nutbrook Trail / Public Footpath 21 (Stanton by Dale)



Baseline photograph

LUC	OS reference: 448092 E 339022 N		Vertical field of view: 28.4°	Camera: Nikon D750
	AOD: 41.3m		Principal distance: 522 mm	Lens: Nikkor AF 50mm f/1.8D
	Direction of view: North-north-east		Paper size: 841 x 297 mm (half A1)	Camera height: 1.5 m (above AOD)
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 260 mm	Date and time: 25/03/2021 13:40

Figure: 12.5b

Viewpoint 2: View looking west from the Nutbrook Trail / Public Footpath 21 (Stanton by Dale)



LUC	OS reference: 447909 E 338280 N		Vertical field of view: 14.2°		Camera: Nikon D750	
	AOD: 44m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: North-north-west		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 260 mm		Date and time: 25/03/2021 14:10	

Figure: 12.6  
Viewpoint 3: View looking north west from Lows Lane



Baseline photograph

Landscape Institute Visualisation Type 3 - AVR Level 1 Photomontage

LUC	OS reference: 445424 E 339309 N		Vertical field of view: 14.2°		Camera: Nikon D750	
	AOD: 60m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: 100°		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 260 mm		Date and time: 26/03/2021 15:55	

Figure: 12.7  
Viewpoint 4: View looking east from Public Footpath 49 (Dale Abbey)



OS reference:	446111 E 338244 N
AOD:	98m
Direction of view:	North-east
Horizontal field of view:	90° (cylindrical projection)

Vertical field of view:	14.2°
Principal distance:	522 mm
Paper size:	841 x 297 mm (half A1)
Correct printed image size:	820 x 280 mm

Camera:	Nikon D750
Lens:	Nikkor AF 50mm f/1.8D
Camera height:	1.5 m (above AOD)
Date and time:	25/03/2021 16:55

**Figure: 12.8**  
**Viewpoint 5: View looking north east from Public Footpath 11 (Stanton-by-Dale)**



LUC	OS reference: 446809 E 337980 N		Vertical field of view: 14.2°		Camera: Nikon D750	
	AOD: 81m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: 30°		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 280 mm		Date and time: 25/03/2021 15:50	

Figure: 12.9  
Viewpoint 6: View looking north east form Public Footpath 6 (Stanton-by-Dale)



Baseline photograph

Landscape Institute Visualisation Type 3 - AVR Level 1 Photomontage

LUC	OS reference: 448379 E 337928 N		Vertical field of view: 14.2°		Camera: Nikon D750	
	AOD: 40.16m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: 335.5°		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 260 mm		Date and time: 25/03/2021 13:10	

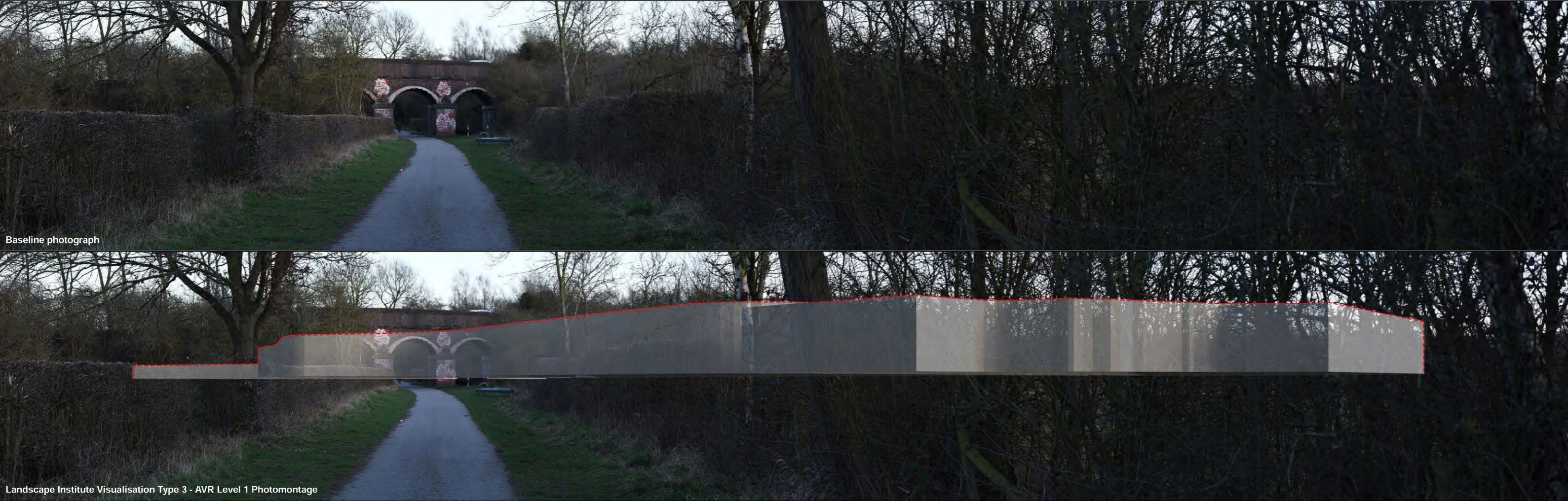
Figure: 12.10

Viewpoint 7: View looking north from the Nutbrook Trail, parallel the route of the Erewash Canal / Public Footpath 21 (Stanton-by-Dale)



LUC	OS reference: 448941 E 339421 N		Vertical field of view: 14.2°		Camera: Nikon D750	
	AOD: 67m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: 246°		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 280 mm		Date and time: 26/04/2021 14:45	

Figure: 12.11  
Viewpoint 8: View looking south west from Robin Hood Way



Baseline photograph

Landscape Institute Visualisation Type 3 - AVR Level 1 Photomontage

LUC	OS reference: 446585 E 339637 N		Vertical field of view: 14.2°		Camera: Nikon D750	
	AOD: 45m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: 149.5°		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 280 mm		Date and time: 25/03/2021 17:50	

Figure: 12.12

Viewpoint 9: View looking south east from the route of NCN route 67 / Public Footpath 20 (Stanton-by-Dale)



LUC	OS reference:	447053 E 340090 N
	AOD:	72m
	Direction of view:	168.3°
	Horizontal field of view:	90° (cylindrical projection)
	Vertical field of view:	14.2°
	Principal distance:	522 mm
	Paper size:	841 x 297 mm (half A1)
	Correct printed image size:	820 x 280 mm
	Camera:	Nikon D750
	Lens:	Nikkor AF 50mm f/1.8D
	Camera height:	1.5 m (above AOD)
	Date and time:	26/03/2021 16:40

Figure: 12.13  
Viewpoint 10: View looking south from residential properties on Hedges Drive, Hallam Fields



OS reference:	449823 E 338769 N
AOD:	83m
Direction of view:	West
Horizontal field of view:	90° (cylindrical projection)

Vertical field of view:	14.2°
Principal distance:	522 mm
Paper size:	841 x 287 mm (half A1)
Correct printed image size:	820 x 280 mm

Camera:	Nikon D750
Lens:	Nikkor AF 50mm f/1.8D
Camera height:	1.5 m (above AOD)
Date and time:	26/03/2021 14:20

**Figure: 12.14**  
**Viewpoint 11: View looking west from the Robin Hood Way at Stapleford Hill**



OS reference:	445933 E 337334 N
AOD:	132m
Direction of view:	North-east
Horizontal field of view:	90° (cylindrical projection)

Vertical field of view:	14.2°
Principal distance:	522 mm
Paper size:	841 x 297 mm (half A1)
Correct printed image size:	820 x 280 mm

Camera:	Nikon D750
Lens:	Nikkor AF 50mm f/1.8D
Camera height:	1.5 m (above AOD)
Date and time:	25/03/2021 16:15

Figure: 12.15

Viewpoint 12: View looking north east from road users on No Man's Lane and recreational receptors on Public Footpath 10 (Sandiacre)



LUC	OS reference: 447603 E 337687 N		Vertical field of view: 14.2°		Camera: Nikon D750	
	AOD: 81m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: North		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 260 mm		Date and time: 25/03/2021 15:10	

Figure: 12.16  
Viewpoint 13: View looking north from Stoney Clouds Local Nature



OS reference:	443739 E 340070 N
AOD:	95m
Direction of view:	East
Horizontal field of view:	90° (cylindrical projection)

Vertical field of view:	14.2°
Principal distance:	522 mm
Paper size:	841 x 297 mm (half A1)
Correct printed image size:	820 x 280 mm

Camera:	Nikon D750
Lens:	Nikkor AF 50mm f/1.8D
Camera height:	1.5 m (above AOD)
Date and time:	26/03/2021 15:20

Figure: 12.17  
Viewpoint 14: View looking south east from Windmill Farm, Cat and Fiddle Mill



Baseline photograph

LUC	OS reference: 446477 E 339097 N		Vertical field of view: 28.4°	Camera: Nikon D750
	AOD: 54.5m		Principal distance: 522 mm	Lens: Nikkor AF 50mm f/1.8D
	Direction of view: 74°		Paper size: 841 x 297 mm (half A1)	Camera height: 1.5 m (above AOD)
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 260 mm	Date and time: 25/03/2021 17:15

Figure: 12.18a

Viewpoint 1: View looking north east from residential properties at the junction of Lows Lane / Sowbrook Lane – Illustrative Masterplan



Landscape Institute Visualisation Type 3 - AVR Level 0 Photomontage showing illustrative masterplan

LUC	OS reference: 446477 E 339097 N		Vertical field of view: 28.4°		Camera: Nikon D750	
	AOD: 54.5m		Principal distance: 522 mm		Lens: Nikkor AF 50mm f/1.8D	
	Direction of view: 74°		Paper size: 841 x 297 mm (half A1)		Camera height: 1.5 m (above AOD)	
	Horizontal field of view: 90° (cylindrical projection)		Correct printed image size: 820 x 280 mm		Date and time: 25/03/2021 17:15	

Figure: 12.18b  
Viewpoint 1: View looking north east from residential properties at the junction of Lows Lane / Sowbrook Lane – Illustrative Masterplan



Baseline photograph

Landscape Institute Visualisation Type 3 - AVR Level 1 Photomontage showing illustrative masterplan

LUC	OS reference:	446809 E 337980 N	Vertical field of view:	14.2°	Camera:	Nikon D750
	AOD:	81m	Principal distance:	522 mm	Lens:	Nikkor AF 50mm f/1.8D
	Direction of view:	30°	Paper size:	841 x 297 mm (half A1)	Camera height:	1.5 m (above AOD)
	Horizontal field of view:	90° (cylindrical projection)	Correct printed image size:	820 x 280 mm	Date and time:	25/03/2021 15:50

Figure: 12.19  
Viewpoint 6: View looking north east form Public Footpath 6 (Stanton-by-Dale) – Illustrative Masterplan

## 13 PLANS 1 -7

PLAN 1: SITE LOCATION

PLAN 2: SITE CONTEXT

PLAN 3: TOPOGRAPHY

PLAN 4: ZONE OF THEORETICAL VISIBILITY

PLAN 5: VISUAL CONTEXT

PLAN 6: REPRESENTATIVE PHOTOVIEWS

PLAN 7: SITE CONTEXT – CONSENTED DEVELOPMENT, ALLOCATED LAND AND APPEAL  
SCHEME



Legend

Site Boundary

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Plan 1: Site Location	
Drawing Ref	Incola 1060 P1
Revision	-
Date	07/12/2022

0km0.5km1km

N

Ilkeston Road, Ilkeston  
*Landscape Statement*  
Incola 1060 Ro1a  
17.02.2023



- Legend
- Site Boundary
  - Bridleway
  - Footpath
  - Nutbrook Trail (National Cycle Network Route 67)
  - Stanton Regeneration Site
  - Allotments or Community Growing Spaces
  - Golf Course
  - Other Sports Facility
  - Play Space
  - Playing Field
  - Public Park or Garden

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Plan 2: Site Context	
Drawing Ref	Incola 1060 P2
Revision	-
Date	08/12/2022

0m 100m 200m 300m 400m 500m

▲

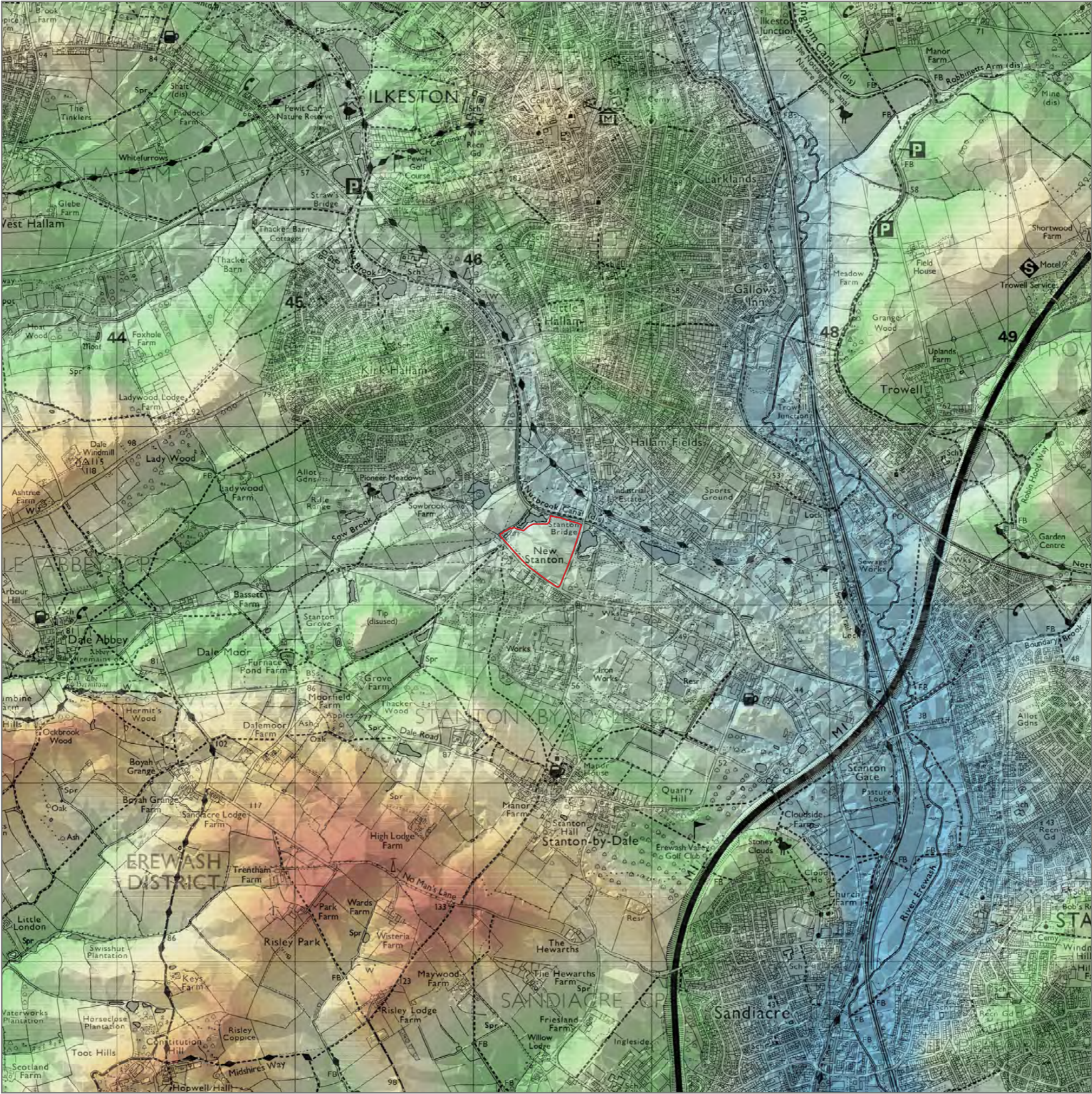
N

Ilkeston Road, Ilkeston

Landscape Statement

Incola 1060 Ro1a

17.02.2023



Legend

Site Boundary

Scale

30 m

More than 130 m

Source: This topography plan has been modelled using GIS computer software (QGIS) and Ordnance Survey Terrain 5 data.

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Plan 3: Topography	
Drawing Ref	Incola 1060 P3
Revision	-
Date	07/12/2022

0km0.5km1km

N

Ilkeston Road, Ilkeston

Landscape Statement

Incola 1060 Ro1a

17.02.2023



- Legend
- Site Boundary
  - Zone of Theoretical Visibility: Potential Visibility

The Zone of Theoretical Visibility provides the potential visibility of the site, and is based on topography only. This assessment is based on a development of 9m high viewed from a height of 1.6m, at a 5km radius.

Source: This ZTV plan has been modelled using GIS computer software (QGIS) and LiDAR Composite First Return DSM 1M (2020) supplied by DEFRA

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Plan 4: Zone of Theoretical Visibility

Drawing Ref	Incola 1060 P4
Revision	-
Date	07/12/2022

0km0.5km1km

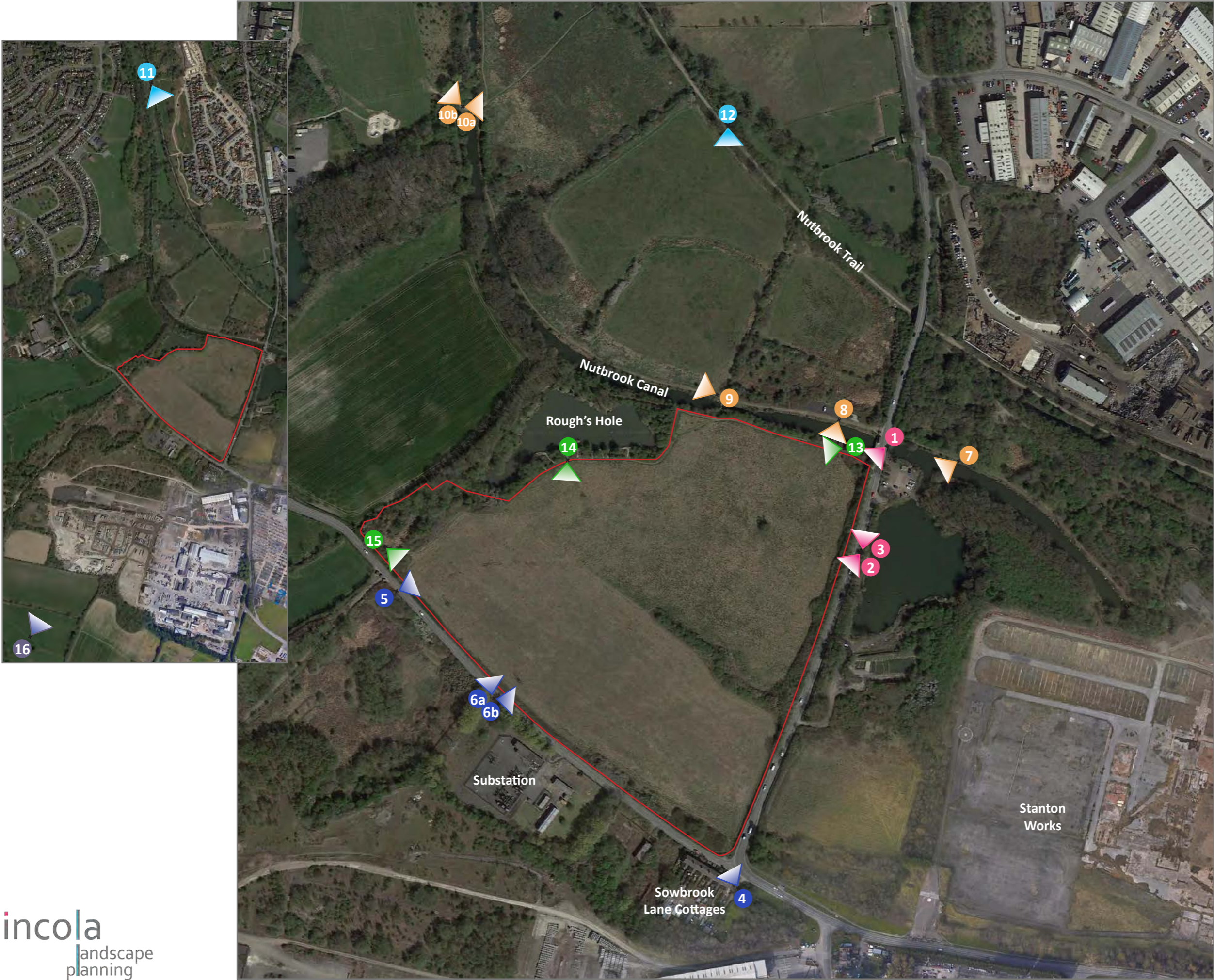
N

Ilkeston Road, Ilkeston

Landscape Statement

Incola 1060 Ro1a

17.02.2023



- Legend
- Site Boundary
  - 1 x Viewpoints from Ilkeston Road
  - 11 x Viewpoints from the Nutbrook Trail
  - 13 x Viewpoints from the Permissive Path
  - 4 x Viewpoints from Sowbrook Lane
  - 7 x Viewpoints from the towpath
  - 16 x Viewpoint from PRow Number 11

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Plan 5: Visual Context	
Drawing Ref	Incola 1060 P5
Revision	-
Date	07/12/2022



Ilkeston Road, Ilkeston  
*Landscape Statement*  
Incola 1060 Ro1a  
17.02.2023



Orientation: South west Distance from Stite: 25m Grid Reference: SK 46627 39470 Date and Time: 05/12/2022 14:16

Photoviewpoint 1



Orientation: South Distance from Stite: 15m Grid Reference: SK 46604 39374 Date and Time: 05/12/2022 14:19

Photoviewpoint 2



Orientation: North Distance from Stite: 15m Grid Reference: SK 46604 39374 Date and Time: 05/12/2022 14:20

Photoviewpoint 3



Orientation: North west Distance from Stite: 25m Grid Reference: SK 46495 39078 Date and Time: 05/12/2022 14:32

Photoviewpoint 4



Orientation: East Distance from Stite: 20m Grid Reference: SK 46183 39339 Date and Time: 05/12/2022 15:01

Photoviewpoint 5



Orientation: North Distance from Stite: 15m Grid Reference: SK 46271 39237 Date and Time: 05/12/2022 14:52

Photoviewpoint 6a



Orientation: East Distance from Stite: 15m Grid Reference: SK 46271 39237 Date and Time: 05/12/2022 14:52

Photoviewpoint 6b



Orientation: West Distance from Stite: 75m Grid Reference: SK 46680 39462 Date and Time: 05/12/2022 14:12

Photoviewpoint 7



Orientation: South Distance from Stite: 35m Grid Reference: SK 46584 39509 Date and Time: 05/12/2022 12:33

Photoviewpoint 8



Orientation: North west Distance from Stite: 25m Grid Reference: SK 46473 39522 Date and Time: 05/12/2022 12:47

Photoviewpoint 9



Orientation: North Distance from Stite: 320m Grid Reference: SK 46255 39765 Date and Time: 05/12/2022 13:06

Photoviewpoint 10a



Photoviewpoint 10b



Orientation: South Distance from Stite: 865m Grid Reference: SK 46256 40320 Date and Time: 05/12/2022 13:30

Photoviewpoint 11



Orientation: South Distance from Stite: 270m Grid Reference: SK 46481 39759 Date and Time: 05/12/2022 13:58

Photoviewpoint 12



Orientation: South west Distance from Stite: 0m Grid Reference: SK 46588 39470 Date and Time: 05/12/2022 12:26

Photoviewpoint 13



Orientation: South Distance from Stite: 0m Grid Reference: SK 46336 39458 Date and Time: 05/12/2022 15:39

Photoviewpoint 14



Orientation: South west Distance from Stite: 0m Grid Reference: SK 46192 39374 Date and Time: 05/12/2022 14:48

Photoviewpoint 15  
Visual Receptor: PRow FP11



Orientation: North east Distance from Stite: 800m Grid Reference: SK 45869 38536 Date and Time: 05/12/2022 15:20

Photoviewpoint 16

