

Proposed 6 apartment block at Kilnwood Apartments, on Land south of Old Rocky Lane,
Haywards Heath

Landscape and Visual Impact Assessment (LVIA)
hla 585 R101

For Cross Homes (Sussex) Ltd

By N Harper BA DipLA CMLI
6th June 2025



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Introduction

This Report was commissioned by Cross Homes (Sussex) Ltd, 19-05-25 and has been prepared by Nick Harper CMLI, Chartered Landscape Architect and Partner of Harper Landscape Architecture LLP.

This report is a Landscape and Visual Impact Assessment (LVIA) which is put forward to describe the Landscape Character and Visual Impacts in relation to the proposals for a new Apartment block, at Kilnwood Apartments, Rocky Lane, Haywards Heath for a proposed three storey apartment block, containing 6 dwellings, with associated access, parking and landscaping.

HLA have issued previous documents for this Site including:

- An LVIA (ref: *hla 436 R01*) issued 13-10-22 for the 9 apartment proposal; and
- A pre-application report (ref: *hla 585 R01*) with Appendix (selected Viewpoints showing views in leaf (May 24) and out of leaf (September 21), (ref: *hla 585 R02*), both issued 28th May 2024 and responded to the Appeal Decision Refusal (ref: *APP/D3830/W/22/3301869*) dated 17-5-23 for the previous 9 apartments block proposal.

The LVIA has been prepared in accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd edition, 2013, by the Landscape Institute and the Institute of Environmental Management and Assessment.

The work has been carried out in collaboration with DMH Stallard.

1.0 Qualifications and experience

1.1 Qualifications

- 1.1.1 Nick Harper is a chartered landscape architect with a degree in landscape design, a post graduate diploma in landscape architecture and he is a full chartered landscape architect member of the Landscape Institute (CMLI) since 1995.

1.2 Experience

- 1.2.1 Nick is a partner of the business of hla which has operated as a landscape architecture consultancy since 2008. hla is a limited liability partnership (LLP) and a registered practice of the Landscape Institute (LI). Nick has also been an invited and regular member on a number of design review panels.
- 1.2.2 Nick has good experience of LVIA in relation to development in sensitive locations and has given landscape evidence, as an expert witness, at a number of Public Inquiries and Planning Hearings.
- 1.2.3 Nick has 36 years professional experience and prior to setting up hla had positions as, a principal at Hyder Consulting, an associate at Chris Blandford Associates and a senior landscape architect with Battle McCarthy and also the London Borough of Enfield. He was also a senior lecturer for the BA and MA Landscape Architecture courses at Greenwich University for 6 years.

2.0 Description of the Site and the proposal

2.1 The existing site (see Figures 1, 2, 3 and 4a and b)

- 2.1.1 General
- 2.1.2 The Site is 0.2HA and it is located in the Low Weald, inside Haywards Heath's south western *Built-up Boundary*, on the north side of the busy A272 trunk road, east of the London to Brighton railway line (in deep cutting, approximately 15m lower than the Site), south of the tree lined Old Rocky Lane, and west, within the curtilage of MSDC's existing of MSDC's flagship, high quality, design project, Kilndown Apartment buildings and external spaces. The Site is an area of rough grass, open space, with some mature and young tree planting and it is fenced off from the railway embankment by a 2.5m high steel palisade fence. There is significant housing, predominantly 21st Century, including a large estate (vicinity of Old House Lane) to the south and beyond the A272, and of a similar scale, another estate to the north west, beyond the railway line (vicinity of Kingfisher Way). The edge of Haywards Heath *Built-up Boundary*, is visually and physically disconnected from the Site, approximately 100m to the south west and is an area of agricultural land.
- 2.1.3 The Site slopes from the north at a ground level height of approximately 65m AOD down to 60m AOD, nearer to the A272, it is located on Cuckfield Sandstone and it is in Flood Zone 1.
- 2.1.4 The Site is in close proximity to some local enhancing landscape elements, including: the Listed Old House Cottages; the local tree planting to the north (along Old Rocky Lane); the long distance views to the South Downs; and the Site is relatively visually discrete to the west, north and east. There are a number of dominant landscape detracting elements, these include: the A272, a busy trunk road, that has cut a wide, noisy and open thoroughfare through the topography and landscape; the railway line, whilst Victorian in origin, is a deep cutting which has required a new A272 bridge and intrusive palisade fencing to be erected at the Site's boundary; and the Kilnwood Apartments car parking.
- 2.1.5 The Site's local context is suburban and dominated by housing and the two transport corridors which physically separate many of the local residential areas (including the Site), and the town from the countryside. At a Site specific scale the Site is within the curtilage of MSDC's flagship project, Kilnwood Apartments. This has a character formed by the, 3 No. three storey apartment buildings, the local trees, the landscape detracting car parking and the railway fencing, all of which are within a suburban context. The countryside, located to the south west, is disconnected from the Site by the A272, the railway line and intervening tree planting and its agricultural character has no influence on the Site and its suburban context.
- 2.1.6 The Site is visually discreet to the west, north and east, owing to the intervening vegetation, buildings, structures, and the topography. It is more open to the south, with views directly to the A272 and the housing opposite. There are some high quality, long distance views to the South Downs escarpment ridge line, located over 9km to the south.
- 2.1.7 SJA Trees, Arboricultural Planning Consultants, produced an Arboricultural Implications Report, May 2025. There is a strong line of mature trees (species include, Ash, Beech, Field maple, Hawthorn, Sycamore, and Willow), along Old Rocky Lane, to the north and a group of secondary, regenerated, self-seeded, and poorer quality mature trees (species include, Sycamore and Field Maple) to the north west. These both offer landscape character and visual amenity. There are a number of young trees, planted as part of the Kilndown development, implemented 8 months ago, which were planted as extra heavy and selected standards.
- 2.1.8 Biodiversity is unlikely to be of significance although the trees and the rough grassland may offer some high interest. There is a Local Nature Reserve (LNR) located on the opposite side of the railway line to the north west and is disconnected from the Site by the cutting.
- 2.1.9 In terms of landscape heritage, the Grade II, Old House Cottages (ref: 1354957), is located in close proximity to the north of the Site although there is virtually no intervisibility, owing to the Rocky Lane tree planting, and there is no Ancient Semi-natural Woodland that is influenced by the Site.



Figure 1 Aerial photograph



Figure 2 OS Map extract NTS

Figure 3 Existing Site plan and Site wide photographs

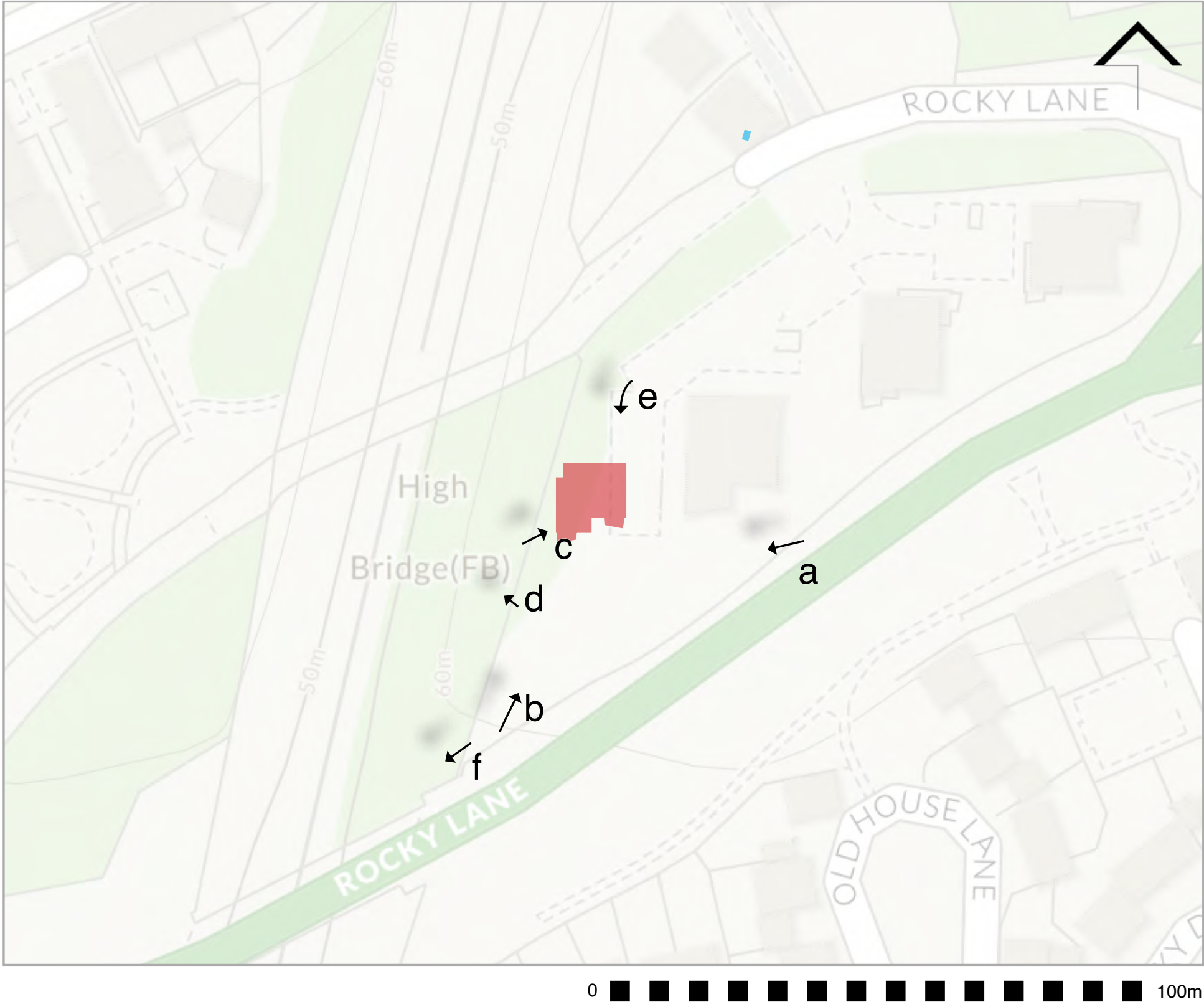


Figure 4a Existing Site plan and Site wide photographs



3.1 Viewpoint a



3.2 Viewpoint b



3.3 Viewpoint c

Figure 4b Existing Site plan and Site wide photographs



3.4 Viewpoint d



3.5 Viewpoint e



2.27 Viewpoint f

2.2 The proposal (see Figures 5, 6 and 14)

- 2.2.1 The development is proposed for, 6 No. 2 bedroom apartments within one block, the associated use of the existing access, reconfigured parking and landscape (hard and soft) proposals. The scheme has been designed to respond to the reasons for refusal, 8th April 21, the Appeal Refusal 17th May 23 and to reflect the Mid Sussex Design Guide SPD, 2020.
- 2.2.2 The new block would be 3 storeys, use the same architectural language (inverted pitched roof and a contemporary finish, focussed around brick faced, main elevations and dark ochre finishing around windows, doors and balconies) with matching detailing and use of materials to blend with the existing 3 blocks whilst also allowing views out from between them. It is noted that the 3 Kilnwood Apartments A, B and C were a flagship design for MSDC and the scheme is on the front cover of the Mid Sussex Design Guide.
- 2.2.3 The new scheme with only 6 No. 2 bedroom apartments compared to the refused 9 No. 2 bedroom apartments has allowed for a smaller scale block on a significantly reduced footprint so that it can be set back by 25m to the north and use the existing Kilnwood Apartments A, B and C to screen or predominantly obscure views when approaching from the east on the A272. The new location would not result in the loss of any trees and there would be a reduced amount of the existing hard surfacing with 6 car parking spaces being removed to accommodate the proposed building. It is noted that the approved scheme (Blocks A, B and C) was for 30 flats and 41 spaces and within that consent the Applicant received permission to increase the parking to 55 spaces. As such by losing 6 spaces the scheme still provides more spaces than required under the original consent. The other changes would result in a reduced amount of hard surfacing (car parking and path areas) and the implementation of lockable bike sheds. The new 6 Apartment Block would result in significantly less open space being lost compared to the 9 Apartment Block scheme.
- 2.2.4 Three apartments would be located on each floor, with one storey providing three affordable housing units and the remaining for private sale.
- 2.2.5 In SJA's Trees, Arboricultural Planning Consultants, Arboricultural Implications Report, May 2025 stated that there would be no implications for trees, quoted (page 2) as follows.
- "S1. On the basis of our assessment, we conclude that the arboricultural impact of this scheme is of negligible magnitude, as defined according to the categories set out in Table 1 of this report."*
- 2.2.6 This LVIA has put forward a Landscape Strategy (see 7.7 below) that has been integrated in to the latest design. In broad terms this would, strengthen the existing planting (see Fig 14 Planting Plan): along the railway line (growing up against the palisade fence), and to the area between the new building and the A272; the incorporation of biodiversity enhancements; SUDS proposals; and the use of native planting.

Figure 5 Proposed Site Plan by Datum Architects (Drawing ref: DA2401-P-03)





At Year 1



At Year 15

3.0 Scope and structure of report

3.1 Scope of the report

- 3.1.1 This report assesses the Landscape Character and Visual impacts that are likely to occur as a result of the proposed development enhancements.

3.2 Structure of the report

- 3.2.1 The upcoming sections of the report are structured as follows, Chapter 4.0 describes the planning history and landscape planning policy, Chapter 5.0 the landscape baseline, Chapter 6.0 Chapter 7.0 the landscape and visual impacts/effects, Chapter 8.0 the conclusions and Chapter 9.0 offers a final statement.

4.0 Landscape planning policy

4.1 Landscape planning policy

4.1.1 The key Landscape planning policies are listed as follows.

4.2 National Planning Policy Framework December 2024 (NPPF)

4.2.1 It is noted that the NPPF should be read in conjunction with the Environmental Protection Act 1990, the Environment Act 1995, and the National Parks and Access to the Countryside Act 1949 (as amended by the Environment Act 1995).

4.2.2 At the heart of the NPPF is a presumption in favour of sustainable development; which should be seen as a golden thread running through plan-making and decision-taking (Paragraph 11, page 6). This presumption means that where any adverse impacts as a result of development should not outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.2.3 The relevant landscape related policies of the NPPF December 2024 are listed as follows.

Chapter 2. Achieving sustainable development

- Paragraph 8 (page 5) item c. an environmental objective.
- Paragraphs 10 and 11 (pages 5 and 6) presumption in favour of sustainable development.

Chapter 3. Plan making, sub section strategic policies

- Paragraph 20 (page 9) item d. conservation and enhancement of natural built and historic environment including landscapes and green infrastructure.

Chapter 8. Promoting healthy and safe communities

- Paragraph 99 (page 29) environmental benefits of estate regeneration.

Chapter 11. Making effective use of land

- Paragraph 125 (page 36) consideration of various environmental issues with any development.
- Paragraph 129 (page 37), planning policies and decisions should support development that makes efficient use of land, taking into account various matters including character and setting:

Chapter 12. Achieving well-designed places

- Paragraph 134 (page 39) consideration of design guiders and design codes.

- Paragraph 135 (pages 39 and 40) policies and decisions should ensure that developments are as relevant to landscape issues, quoted as follows:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping,*
- 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);*
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.*
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks."*

- Paragraph 136 (page 40), trees should be incorporated in to development where possible.

- Paragraph 139 (page 41), Development that is not well designed should be refused.

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

- Paragraph 162 (page 48) Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes.
- Paragraph 166 (page 49) item b. take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Chapter 15. Conserving and enhancing the natural environment

- Paragraph 187 (page 54) Planning policies and decisions should contribute to and enhance the natural and local environment.
- Paragraph 188 (page 54) Plans should: distinguish between the hierarchy of international, national and locally designated sites.

4.2.4 Planning Practice Guidance (PPG) as relevant to the existing and proposed Landscape and the development is described as follows.

- PPG climate change, 2014, updated 2019. Advises how to identify suitable mitigation and adaptation measures in the planning process to address the impacts of climate change.
- PPG Design: process and tools, 2014, updated 2019. Well-designed places can be achieved by taking a proactive and collaborative approach at all stages of the planning process, from policy and plan formulation through to the determination of planning applications and the post approval stage.
- PPG Light pollution, 2014, updated 2019. Advises on how to consider light within the planning system.
- PPG Natural environment, 2016, updated 2019. Explains key issues in implementing policy to protect and enhance the natural environment, including local requirements. The section titled Landscape, Paragraph 1, describes the use of landscape character assessment for appraising the character and local distinctiveness and to identify the elements that influence the sense of place. The section titled 'Biodiversity,' Paragraph 15, ecosystems and green infrastructure, Paragraph 15, describes multi-functional green space, which deliver benefits for local communities through Green Infrastructure (GI).
- PPG Open space, sports and recreation facilities, public rights of way and local green space, 2016, updated 2019. Gives key advice on open space, sports and recreation facilities, public rights of way and the new Local Green Space designation.

4.3 Regional

4.3.1 No regional guidance is available for this area.

4.4 County

4.4.1 West Sussex County Council (WSCC)

4.4.1.1 There are no specific policies at County level beyond those described at a local and regional level.

4.5 District (see Figure 7)

4.5.1 The Site is within the jurisdiction of *Mid Sussex District Council*, and the *Mid Sussex District Plan 2014 to 2031* which was adopted 28th March 2018 (it is noted that the Site is located within the 'Built up Area Boundary.' The Plan includes the following landscape planning policies Strategic landscape objectives (page 8), are listed as follows.

"Protecting and enhancing the environment

1. To promote development that makes the best use of resources and increases the sustainability of communities within Mid Sussex, and its ability to adapt to climate change.

2. To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence.
3. To protect valued landscapes for their visual, historical and biodiversity qualities.
4. To protect valued characteristics of the built environment for their historical and visual qualities.
5. To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes.
6. To ensure that development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks.

Promoting economic vitality

7. To promote a place which is attractive to a full range of businesses, and where local enterprise thrives.
8. To provide opportunities for people to live and work within their communities, reducing the need for commuting.
9. To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community.
10. To support a strong and diverse rural economy in the villages and the countryside.
11. To support and enhance the attractiveness of Mid Sussex as a visitor destination.

Ensuring cohesive and safe communities

12. To support sustainable communities which are safe, healthy and inclusive.
13. To provide the amount and type of housing that meets the needs of all sectors of the community.
14. To create environments that are accessible to all members of the community.

Supporting healthy lifestyles

15. To create places that encourage a healthy and enjoyable lifestyle by the provision of first class cultural and sporting facilities, informal leisure space and the opportunity to walk, cycle or ride to common destinations.”

Specific landscape policies are as follows.

- DP1: Sustainable Economic Development (page 24),

Strategic Objectives: 7) To promote a place which is attractive to a full range of businesses, and where local enterprise thrives; and 8) To provide opportunities for people to live and work within their communities, reducing the need for commuting.

- DP22: Rights of Way and other Recreational Routes (page 70),

Strategic Objectives: 5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes; and 15) To create places that encourage a healthy and enjoyable lifestyle by the provision of first class cultural and sporting facilities, informal leisure space and the opportunity to walk, cycle or ride to common destinations.

- DP26: Character and Design (page 75),

Strategic Objectives: 2) To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence; 4) To protect valued characteristics of the built environment for their historical and visual qualities; 12) To support sustainable communities which are safe, healthy and inclusive; and 14) To create environments that are accessible to all members of the community.

Evidence Base: CABE Good Practice Guidance.

All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- is of high quality design and layout and includes appropriate landscaping and greenspace;

- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;
- protects open spaces, trees and gardens that contribute to the character of the area;
- protects valued townscapes and the separate identity and character of towns and villages;
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
- positively addresses sustainability considerations in the layout and the building design;
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;
- optimises the potential of the site to accommodate development.

- DP28: Accessibility (page 78),

Strategic Objectives: 12) To support sustainable communities which are safe, healthy and inclusive; 13) To provide the amount and type of housing that meets the needs of all sectors of the community; and 14) To create environments that are accessible to all members of the community.

- DP29: Noise, Air and Light Pollution (page 79)

Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities; and 12) To support sustainable communities which are safe, healthy and inclusive.”

“The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people’s life will be protected from unacceptable levels of noise, light and air pollution.
- DP37: Trees, Woodland and Hedgerows (page 90),

Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities; 4) To protect valued characteristics of the built environment for their historical and visual qualities; and 5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes.
- DP38: Biodiversity (page 92)

Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities; and 5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes.
- DP39: Sustainable Design and Construction (page 94),

“All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:
 - Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience.
- DP41: Flood Risk and Drainage (page 96),

“SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible.”

4.6 Town

- 4.6.1 The Haywards Heath Town Council Neighbourhood Plan, Our Bright Future, was adopted December 2016. The landscape three planning policies that are relevant to landscape are quoted as follows.

Vision Statement and Core Aims (pages 15 and 16), are listed as follows.

- “A) That the Plan should set out long term policies and promote Sustainable development.
- B) That the policies should maintain the rural setting of the town.
- C) That the Leisure and Community Facilities should be retained/ improved.

Heading 6. Environment, Sustainability and Design Quality, quotes the following policies.

- Objective 6A): Co-ordinate and improve Green Infrastructure in the Town.
- Objective 6B: Provide improved outdoor community facilities.
- Objective 6C: To retain and enhance the rural setting of the town through the protection and enhancement of biodiversity in and around the Town, through retention of, and additional, Green Infrastructure.
- Objective 6D: New development to address localised flooding and drainage issues.
- Objective 6E: Encouraging energy efficient and sustainable development.
- Objective 6F: Development should reinforce the character and quality of the locality of the scheme.”

4.7 Cumulative Impact

- 4.7.1 There are no known other planning applications that, when considered with this development, would lead to adverse cumulative Landscape Impact.

4.8 Case Officer's recommendation for refusal (DM/20/3456), 8th April

4.8.1 The Case Officer's recommendation for refusal (ref: DM/20/3456), 8th April, put forward an Executive Summary, the relevant landscape points, for each are responded to, individually, as follows.

4.8.1.1 At paragraph 5, it states.

"Whilst the block of flats would reflect the design of the existing buildings, it is to be sited in an area of landscaping associated with the existing development that was also intended to soften its appearance and assist in creating a semi-rural appearance. This area of the site has a more prominent position through its higher land level, when viewed from Rocky Lane, and would appear visually further forwards. As such, given the pattern of development and semi-rural character along Rocky Lane, the introduction of a further block of flats is considered to have a significantly harmful impact on the character and appearance of the surrounding area."

4.8.1.2 This reason hinges on the landscape character, value and quality of the land proposed for the new apartments, and whether it can be described as having a 'semi-rural appearance.' The land is a narrow area of rough grass, with a number of self seeded, trees, and some young recently planted trees. The Site is located between the Kilndown Apartments, the railway line, 2.5m height palisade fencing, the busy A272 and the Kilndown Apartment car parking. It is within Haywards Heath's Built-up boundary and is dominated by the landscape detracting road corridors and the 21st Century residential development, located in all directions. The nearest countryside is located to the south west and visually and physically disconnected from the Site by the railway, the A272 and the intervening planting. Old Rocky Lane is a short stretch of tree lined road (in the Haywards Heath Built-up Boundary) that connects the A272 to the residential areas to the west. It is short distance, leafy walk through a suburban space that has views of houses either side, the traffic accessing the Kilnwood Apartments and there are some obscured, partial and framed views of the South Downs, seen over the car parking, past the eastern apartment block and beyond the A272 and the housing beyond. As such the Site and local area cannot be perceived, in visual nor landscape character terms, as 'Semi-rural,' rather it must be judged to be Suburban.

4.8.1.3 At paragraph 6, it states.

"Mitigation has been proposed through landscaping to the south of the flats and that would continue along the whole southern boundary of the development. This would include the removal of recently planted trees, which is harmful to their health and longevity, and the addition of further tree and shrub planting. This landscaping, however, cannot be guaranteed to remain in perpetuity and there are concerns that there would be future pressure on its retention as it grows to full maturity. As such it is considered that the enhanced landscaping would not mitigate the harm that has been identified."

4.8.1.4 Six No. existing young trees were planted (see image below), and these will be re-located with the new scheme. These are still young trees with low landscape and visual amenity value, which gives them a high chance of being successfully re-located. When this is associated with the new proposed trees, it is projected that over the next 5 to 10 years, the planting would soften the existing and new hard built forms. These existing trees are fastigate and would have a narrow canopy, so it is hoped they would offer long term, sustainable planting without onerous maintenance issues at maturity.

4.8.1.5 At paragraphs 10 and 11, it states.

"Whilst the proposed development is identified to bring a range of benefits, when considered in as a whole in the planning balance, it is considered to have a significantly harmful impact on the semi-rural character of the surrounding area and would have an adverse impact on existing trees. For the above reasons the proposal fails to comply with policies DP26 and DP37 of the Mid Sussex Development Plan, policies E9 and H8 of the Haywards Heath Neighbourhood Plan and the Mid Sussex Design Guide SPD. Accordingly, the application is recommended for refusal."

4.8.1.6 The Site and its local context is Suburban in views and in character (with significant landscape detractors), and this LVIA concludes that the Landscape Character and Visual impacts would be **Not Significant** and that development, as proposed, would be congruous, well placed and replicate MSDC's flagship design of the existing Kilnwood Apartments. The impact on trees would be minimal with 6 young trees being relocated and new tree planting to be added for additional overall Site Benefit. As such the development would be in accordance with the planning policies, as listed.

4.8.1.7 The new building is smaller and it is set back by 25m from the southern elevation proposed for the previous application.

4.9 Appeal Decision for Refusal (ref:APP/D3830/W/22/3301869) dated 17-5-23

4.9.1 A response to the points made in the Decision Notice has been provided the HLA pre-application report (ref: hla 585 R01) issued 28th May 2024.

Figure 7 Extract from Magic Map



5.0 Landscape baseline description

5.1 Local Character baseline description

5.1.1 The Site is in the Low Weald which is not a national landscape designation.

5.1.2 The Site's local character is formed by its location at the suburban southern edge of Haywards Heath and its elevated position on a south facing slope, with views across the Low Weald to the South Downs, 9km away to the south. Whilst much of the area surrounding the Site was historically Low Weald countryside it has been developed with large scale, residential development and road interventions, so that it now has a suburban character (not countryside nor rural nor semi-rural).

5.1.3 The Site specific character is influenced by the local land uses, as follows: the Site itself is an area of open space comprised of rough grass, scrub and some trees; it is located at the western end of the Kilnwood Apartments, which is comprised of 3 No. three storey blocks and associated car parking; directly south is the busy A272 and beyond the road is a significant area of suburban 21st Century housing; directly west is the London to Brighton railway line (in cutting) which is separated from the Site by a 2.5m height palisade fence; and directly north is the tree lined Old Rocky Lane with the Haywards Heath town settlement beyond.

5.1.4 Positive Landscape Receptors are discernible within the LLCA and these are listed as follows.

- High quality South Downs landscape glimpsed in the background to the south.
- Local heritage, Grade II Listed Old House Cottages (ref: 1354957)
- Local tree planting to the north (along Old Rocky Lane) and along the railway corridor.
- The Site is visually discreet to the west, north and east with limited views in from the south.

5.1.5 Landscape Detractors influence the LLCA, these are listed as follows.

- The A272, a busy trunk road, that has cut a wide, noisy and open thoroughfare through the topography and landscape that heavily detracts during the day and at night (lighting).
- The railway line, whilst Victorian in origin, is a deep cutting which has required a new poor quality of design, railway bridge for the A272 with intrusive palisade fencing.
- Largescale local housing developments have created a suburban character with associated lighting, signage, local roads, parking, pavements, fencing etc.

5.1.6 LLCA as manifest in the National Character Area (NCA) Assessment (see Appendix 2)

5.1.6.1 The LLCA manifests the following *Key Characteristics* of NCA 121 Low Weald (page 6).

- *"Broad, low-lying, gently undulating clay vales with outcrops of limestone or sandstone providing local variation.*
- *The underlying geology has provided materials for industries including iron working, brick and glass making, leaving pits, lime kilns and quarries. Many of the resulting exposures are critical to our understanding of the Wealden environment.*
- *Small towns and villages are scattered among areas of woodland, permanent grassland and hedgerows on the heavy clay soils where larger 20th-century villages have grown around major transport routes.*
- *The Low Weald boasts an intricate mix of woodlands, much of it ancient, including extensive broadleaved oak over hazel and hornbeam coppice, shaws, small field copses and tree groups, and lines of riparian trees along watercourses. Veteran trees are a feature of hedgerows and in fields.*
- *Traditional rural vernacular of local brick, weatherboard and tile-hung buildings plus local use of distinctive Horsham slabs as a roofing material. Weatherboard barns are a feature. Oast houses occur in the east and use of flint is notable in the south towards the South Downs."*

5.1.7 LLCA as manifest at the county scale, *West Sussex Landscape Assessment 2003 (updated 2010) - Landscape Character Area (LCA) HW4, High Weald Fringes.* (see Appendix 3)

5.1.7.1 The LLCA manifests the following *Key Characteristics* of LCA HW4 High Weald Fringes.

- *"Long views over the Low Weald to the downs.*
- *Significant woodland cover, a substantial portion of it ancient, and a dense network of shaws, hedgerows and hedgerow trees.*
- *Network of lanes, droveways, tracks and footpaths.*
- *Some busy lanes and roads including A and B roads bounding the area to the west, and other roads crossing north to south, including the A23 Trunk Road.*
- *Varied traditional rural buildings built with diverse materials including timber-framing, Horsham Stone roofing, Wealden stone and varieties of local brick and tile-hanging."*

5.1.8 LLCA as manifest at the district scale, *Mid Sussex Landscape Character Assessment 2005, LCA 10, High Weald Fringes.* (see Appendix 4).

5.1.8.1 The LLCA manifests the same *Key Characteristics* (page 106) as listed for LCA HW4 High Weald Fringe opposite.

5.1.9 LLCA Sensitivity (LLCA Value cross referenced with LLCA Susceptibility)

5.1.9.1 LLCA Landscape Value is judged using the following (GLVIA 3, Table 5.1, page 84 and Appendix 6 *Landscape Institute Technical Guidance Note 02/21 Assessing Landscape Value*).

- *Landscape quality* (also *Special Qualities* of the AONB (now National Landscape) or *condition*): The LLCA is in the settlement edge of Haywards Heath with few Positive Landscape Receptors (although good quality long distance views towards the South Downs) and there are strong influences from the Landscape Detractors (transport corridors, suburban character, lighting etc)
- *Scenic quality*: From within the LLCA there are high quality long distance views to the South Downs National Landscape although these views also see the Landscape Detractors listed above. Views to the west, north and east are enclosed by the built forms and the tree planting.
- *Rarity*: The Low Weald is a rare Landscape Character Type at a national scale although the Site manifests barely any of the Positive Landscape Receptors that create this rarity.
- *Representativeness*: The LLCA is representative of the local Haywards Heath settlement edge character
- *Conservation interests*: There is tree planting along Old Rocky Lane and the railway corridor.
- *Recreation value*: There is some open space around the Kilnwood Apartments and there is a play area to the west although this is screened from the Site by intervening tree planting.
- *Perceptual aspects*: The LLCA has little perception of remoteness and tranquillity.
- *Associations*: There are no known associations with the Site.
- *Function*: The Site is suburban, settlement edge and the wider LLCA is dominated by the transport corridors.

5.1.9.2 For the reasons given above the LLCA is judged to **Low** to **Medium** Landscape Value.

5.1.10 LLCA Susceptibility

5.2.10.1 The LLCA is able to accommodate the new building as it is a congruous fit with the existing suburban character and especially the other 3 No. Kilnwood Apartment blocks. Further more it is discreetly located for views in from the west, north and east with few views in from the south except those seen from the A272 and the housing areas beyond. Existing trees would be retained and new tree planting included so that the development would continue to be discreet. The Site's historic countryside character has gone and there is little intactness of the Low Weald remnant character. As such the Landscape Susceptibility is judged to be **Low**.

5.2.11 LLCA Sensitivity

5.2.11.1 By cross referencing the **Low to Medium** Landscape Value with **Low** Local Landscape Susceptibility judgements, the Local **Landscape Sensitivity** is **Low**.

5.2 National Character Area (NCA) (see Appendix 2)

5.2.1 *Natural England, National Character Area (NCA) 121, the Low Weald* (see Appendix 2) gives a broad scale description for the entire Low Weald (page 3) of which the development is a small component, as follows.

"The Low Weald National Character Area (NCA) is a broad, low-lying clay vale which largely wraps around the northern, western and southern edges of the High Weald. It is predominantly agricultural, supporting mainly pastoral farming owing to heavy clay soils, with horticulture and some arable on lighter soils in the east, and has many densely wooded areas with a high proportion of ancient woodland. Around 9 per cent of it falls within the adjacent designated landscapes of the Surrey Hills, Kent Downs and High Weald Areas of Outstanding Natural Beauty and the South Downs National Park. Around 23 per cent of the area is identified as greenbelt land."

5.2.1.2 The NCA lists four Statements of Opportunity (SEO), however only SEO1 and SEO4 (pages 15 to 18) are relevant to the Site and its landscape context. They are quoted as follows.

- "SEO 1: Protect, manage and significantly enhance the area's intricate and characteristic mix of semi-natural ancient woodlands, gill woodland, shaws, small field copses, hedgerows and individual trees to reduce habitat fragmentation and benefit biodiversity, while seeking to improve and encourage access for health and wellbeing and reinforce sense of local identity.
- SEO 4: Maintain the sustainable but productive pastoral landscape of the Low Weald, while expanding and connecting semi-natural habitats to benefit biodiversity, regulating soil and water quality by promoting good agricultural practice, and maintaining the extent and quality of unimproved permanent grassland and meadows. Restore degraded neutral grasslands to buffer sites and encourage pollinators and predators for pest regulation."

5.2.1.3 At a national scale the Landscape Value is judged to be **High**.

5.2.1.4 At a national scale the Landscape Susceptibility is judged to be **Low**.

5.2.1.5 As such at a national scale the Landscape Sensitivity is judged to be **Medium**.

5.3 Regional Landscape Character

5.3.1 No regional Landscape Character guidance is available for this area.

5.4 County Landscape Character Area (LCA) (see Figure 8 and Appendix 3)

5.4.1 At a county scale the *Landscape Character of West Sussex, 2003 (updated 2020), Landscape Character Area (LCA) HW4, High Weald Fringes*. (see Appendix 4 and Figure 8) is relevant.

5.4.1.1 On page 1 of LCA HW4 the 'Overall Character,' is quoted as follows.

"The densely-wooded southern flanks of the High Weald Forest Ridge within West Sussex, dissected by gentle gill streams draining west to the River Adur and east to the River Ouse. Includes the settlements of Cuckfield, Haywards Heath and Lindfield."

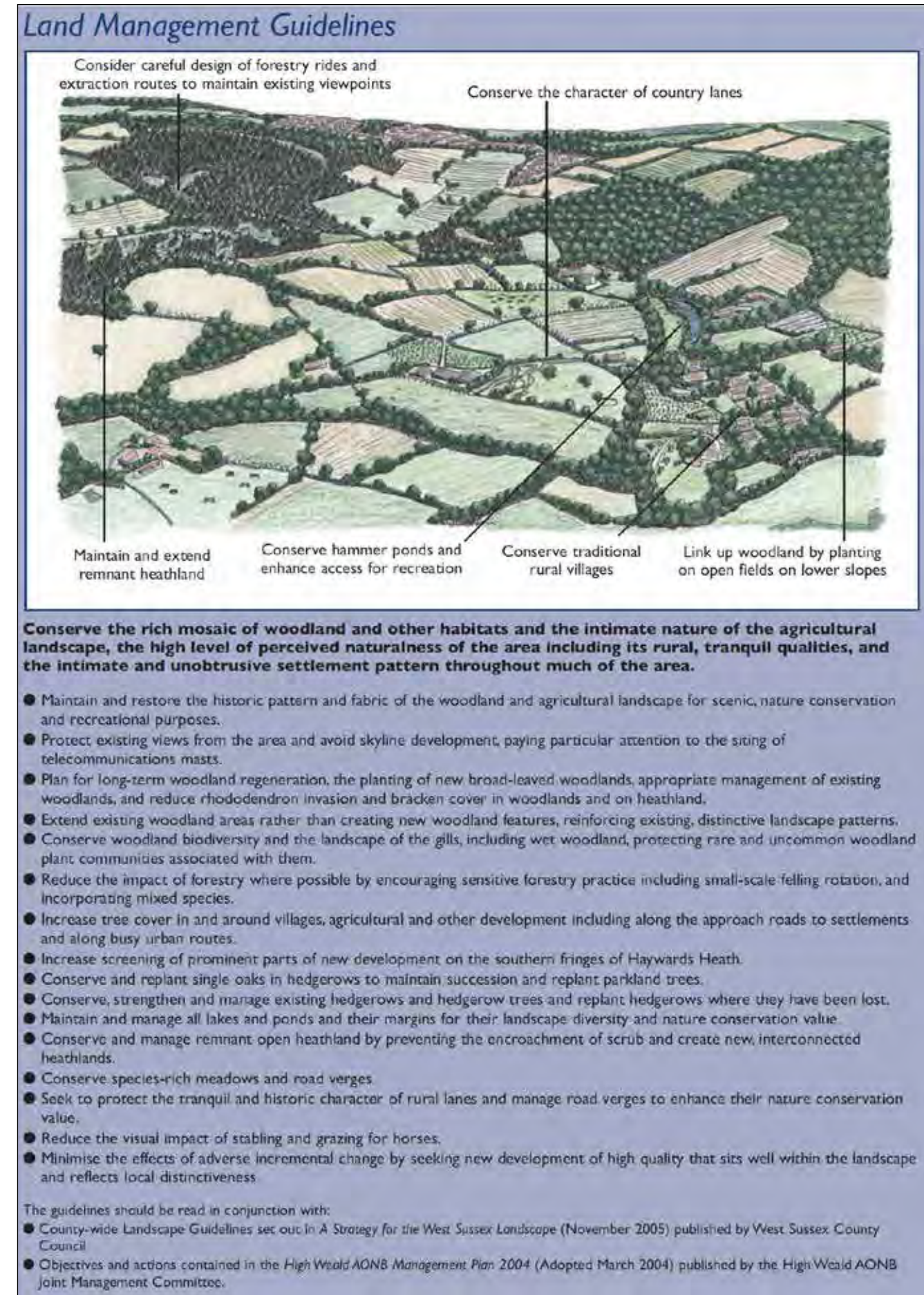
Figure 8 West Sussex Landscape Assessment 2003 (updated 2010), LCA HW4, High Weald Fringes.

5.4.1.2 On page 2 the Land Management Guidelines are listed, see Figure 8, opposite.

5.4.2 At a county scale the Landscape Value is judged to be **High**.

5.2.3 At a county scale the Landscape Susceptibility is judged to be **Low**.

5.2.4 As such at a county scale the Landscape Sensitivity is judged to be **Medium**.
conclusion LCA 53 is described on page 53, as follows.



5.5 District Landscape Character Area (LCA) (see Appendix 4)

5.5.1 At a district scale the Site was described in the *Mid Sussex (MS) Landscape Character Assessment, 2005* (see Appendix 4), showing the Site to be in *LCA 10, High Weald Fringes* see Appendix 4) and in the *Mid Sussex Landscape Capacity Study, 2007* (see Appendix 5), *LCA, Zone 4: Haywards Heath, Lindfield, Cuckfield and surrounding Areas, LCA 53 Fox Hill*. *LCA 10* is a large area extending several miles east and west of Haywards Heath whereas *LCA 53* is a smaller more focussed area which is more relevant to the Site.

5.5.2 On page 113 of the *MS LCA 10 High Weald Fringes*, the following, Site relevant, Management Objectives and Guidelines are listed.

“Management Objective

Conserve the rich mosaic of woodland and other habitats and the intimate nature of the agricultural landscape, the high level of perceived naturalness of the area including its rural, tranquil qualities, and the intimate and unobtrusive settlement pattern throughout much of the area.

Land Management Guidelines

- *Protect existing views from the area and avoid skyline development, paying particular attention to the siting of telecommunications masts.*
- *Extend existing woodland areas rather than creating new woodland features, reinforcing existing, distinctive landscape patterns.*
- *Increase tree cover in and around villages, agricultural and other development including along the approach roads to settlements and along busy urban routes.*
- *Increase screening of prominent parts of new development on the southern fringes of Haywards Heath.*
- *Conserve species-rich meadows and road verges.*
- *Protect the tranquil and historic character of rural lanes and manage road verges to enhance their nature conservation value.*
- *Minimise the effects of adverse incremental change by seeking new development of high quality that sits well within the landscape and reflects local distinctiveness.”*

5.5.3 On page 27 of the *Landscape Capacity Study 2007, Zone 4: Haywards Heath, Lindfield , Cuckfield and surrounding Areas*, the Sensitivity of *LCA 53 Fox Hill* is judged to be **Slight Landscape Value and Landscape Sensitivity** with a **High Landscape capacity** (see Table 1 below). It is also noted that new housing has been built since 2007 and the judgements are likely to be somewhat out of date. In conclusion *LCA 53* is described on page 53, as follows.

“Fox Hill (LCA 53): Abuts townscape on sloping ground consistent with adjacent development. Provides a mixture of wooded and hard urban edges. Poor hedgerow structure but shaws and woodland blocks along southern edge. Minor contribution to separation between Haywards Heath and Burgess Hill.”

5.5.4 At a district scale the Landscape Value is judged to be **Medium**.

5.5.5 At a district scale the Landscape Susceptibility is judged to be **Low**.

5.5.6 As such at a district scale the Landscape Sensitivity is judged to be **Low**. conclusion *LCA 53* is described on page 53, as follows.

Table 1 MS Landscape Capacity Study, 2007, LCA 53 Fox Hill, extracted from page 27

MS Sensitivity judgement, as extracted from page 27

53	Fox Hill	Poor hedgerow network but shows retained and woodland blocks.	Not particularly distinctive, some hard urban edges, some woodland edges elsewhere.	Slopes consistent with existing development on Fox Hill.	Low contribution	Minor contribution to wider separation between Haywards Heath and Burgess Hill	SLIGHT
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MS Landscape Value judgement, as extracted from page 40

53	Fox Hill	Poor hedgerow network but shows retained and woodland blocks.	Not particularly distinctive, some hard urban edges, some woodland edges elsewhere.	Slopes consistent with existing development on Fox Hill.	Low contribution	Minor contribution to wider separation between Haywards Heath and Burgess Hill	SLIGHT
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MS Landscape Capacity judgement, as extracted from page 47

No	Landscape Character Area	Landscape Sensitivity	Landscape Value	Landscape Capacity
53	Fox Hill	Slight	Slight	High

5.5.7 For these reasons at a district scale: the *Mid Sussex (MS) Landscape Character Assessment, 2005* (see Appendix 4), showing the Site to be in *LCA 10, High Weald Fringes* which is more closely aligned with the county scale is judged to be **Medium Sensitivity**; and in the *Mid Sussex Landscape Capacity Study, 2007, LCA, Zone 4: Haywards Heath, Lindfield, Cuckfield and surrounding Areas, LCA 53 Fox Hill*, which is much smaller and more specific to the Site, is judged to be **Low Sensitivity** (or as stated by Mid Sussex, ‘Slight’ Sensitivity with a ‘**High Capacity**’ for Change).

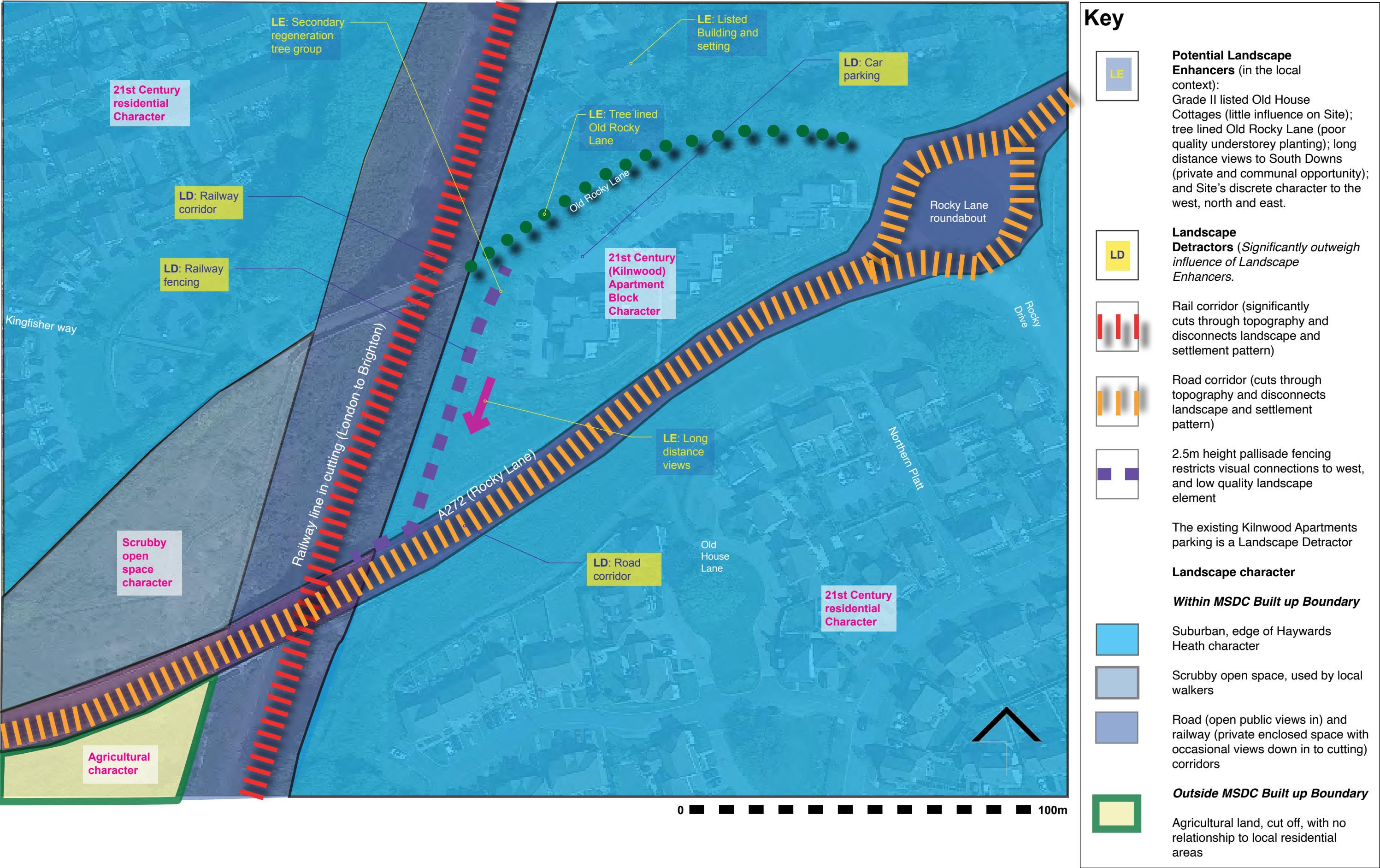
5.6 Town Landscape Character

5.6.1 Haywards Heath Town Council have not produced a Landscape Character Assessment.

	Road (A272) corridor
	Rail (London to Brighton railway) corridor
	Long distance views from Site across Low Weald to South Downs ridge line
	Tree lined Old Rocky Lane
	MSDC Built up Area Boundary (includes Site, its context and beyond)
	Approximate position of 2.5m height railway pallisade fencing
	Contour height, m AOD

- The Site is in the Low Weald which is not a national landscape designation.
- The Site is in the following Landscape Character Assessments (associated baseline judgements):
- The following are judged to have High Value, Low Susceptibility and **Medium Sensitivity**.
National Character Area (NCA 121) the Low Weald.
Landscape Character of West Sussex, 2003 (updated 2020), Landscape Character Area (LCA) HW4, High Weald Fringes.
Mid Sussex Landscape Character Assessment was published in 2005, LCA 10, High Weald Fringes.
- The following are judged to have Low to Medium Value, Low Susceptibility and **Low Sensitivity**.
The local landscape (LVIA hla 585 R101)
Mid Sussex Landscape Capacity Study, 2007 (see Appendix 5), LCA, Zone 4: Haywards Heath, Lindfield, Cuckfield and surrounding Areas, LCA 53 Fox Hill. Mid Sussex specifically describe the LCA as '**Slight Sensitivity**,' 'Slight Landscape Value,' with a '**High Capacity**.'

Figure 10 Landscape Analysis Plan



5.7 Visual Baseline (See Figures 9, 10 and 11, and Appendix 1)

- 5.7.1 The Site was visited on the 2nd May 2025 and 24 Viewpoints were assessed, Viewpoints 2, 3, 4, 5, 6, 7, 8 and 9 (replicating the Viewpoint numbering system used in the LVIA by Barton Wilmore 2015, plus, 16, 17, 18, 19, 20 and 21 (used in the previous hla LVIA May 2021 (ref: *hla 436 R02*) plus two No. new Viewpoints 23 and 24 (selected for this report only). Viewpoints 1, 10, 11, 12, 13, and 14 (BW Viewpoints), 19 and 22 (HLA 21) were judged to have no views.
- 5.7.2 The Site is relatively discreet as it is located: directly west of the existing Kilnwood Apartment blocks which predominantly screen and allow only partial views in from the east; directly south of Old Rocky Lane which is a tree lined track that predominantly obscures views in from the north; and directly east of the railway line (in cutting) which is fenced off and which (with the sloping topography further west and intervening vegetation) obscures all ground level views in from the west. To the south, the Site is more open to the A272 and the new housing estate that has been built on the opposite side of the road. As such views in from the south are restricted to near distance Viewpoints only. As such most of the Viewpoints with views (10 in total), 9 No (Viewpoints 4, 5, 6, 7, 16 (semi-public view), 20, 21, 23 and 24) are near distance and 1 No (Viewpoints 9) is medium distance. These are shown within the ZTV, a zone which follows the open landscape either side of the A272, to the north and south, where local housing or existing vegetation allow gaps and views through.
- 5.7.3 The A272 is a busy trunk road and a significant Landscape Detractor, where it is seen in views the Sensitivity is significantly lessened. Other Landscape Detractors, located in close proximity to the Site, and which, when seen in the view, also lessen Sensitivity include the engineered railway embankment, the A272, the railway bridges, the palisade fencing and the local car parking. Views are also heavily influenced where they see significant amounts of suburban, residential development, which is located in all directions around the Site.
- 5.7.4 There are numerous houses with views of the Site, these are predominantly located on the opposite side of the A272. Views from these houses see the landscape detracting A272 in the foreground or middle ground, and may be influenced by the railway line also. Also the Site is seen in the context of the three Kilnwood Apartment blocks. To the north (Old Rocky Lane, including the Grade II Listed Building, Old House Cottages (ref: *1354957*)), and to the north west, on the opposite of the railway bridge, the views from properties and open space, are generally screened or predominantly obscured by the planting along the northern boundary (Old Rocky Lane) of the Kilnwood Apartments complex. The Site is openly discernible to users of the A272, as they pass, although these views are likely to be perpendicular or tangential, making them fleeting glimpses. These users include vehicles moving at speed, cyclists and pedestrians.
- 5.7.5 The Site is relatively elevated with its relationship to the land located south and south west. As such there are a range of open to obscured, high quality, long distance views to the South Downs ridge lines to the south and south west although there is no intervisibility. Where this is the case the Viewpoint Sensitivity has been increased.

5.7.6 Of the 10 Viewpoints with views the following judgements are given.

Visual Value

- Viewpoints 9 and 20 are judged to be Medium.
- Viewpoints, 4, 5, 16 are judged to be Low to Medium.
- Viewpoints 6, 7, 21, 23 and 24 are judged to be Low.

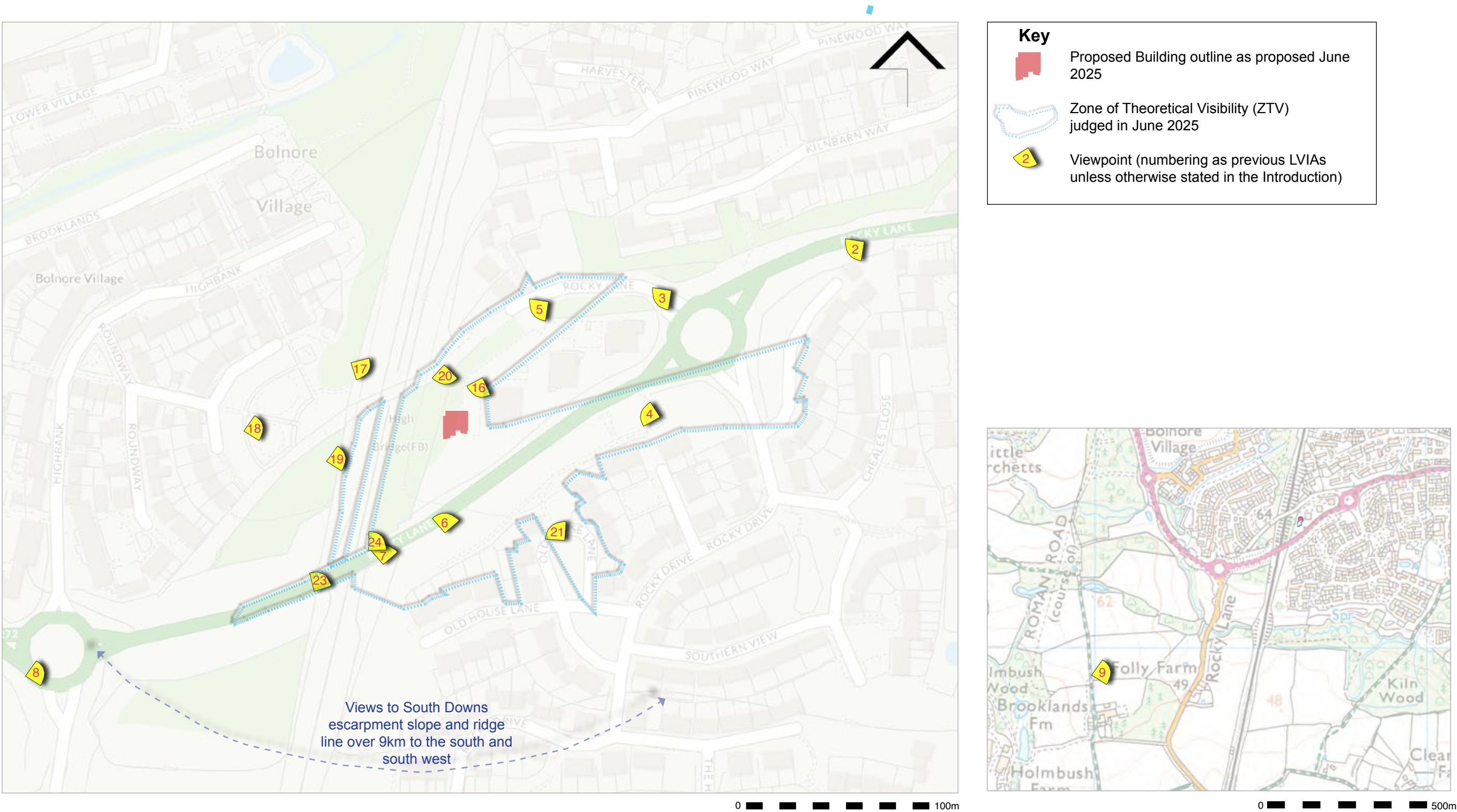
Visual Susceptibility

- Viewpoints 6, 7, 9, 16, 20, 23 and 24 are judged to be Medium.
- Viewpoint 5 is judged to be Low to Medium.
- Viewpoints 4, and 21 are judged to be Low.

Visual Sensitivity

- Viewpoints 9 and 20 are judged to be **Medium**.
- Viewpoint 5 and 16 are judged to be **Low to Medium**.
- Viewpoints 4, 6, 7, 21, 23 and 24 are judged to be **Low**.

Figure 11 Viewpoints 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 23 and 24 Plans



6.0 Landscape Character and Visual Impacts/Effects

6.1 Local Landscape Character

- 6.1.1 At a local scale the Landscape Character is Suburban. It is located at the south western edge of the larger Haywards Heath town settlement, whose Sensitivity is heavily influenced by the local suburban residential areas (including Kilnwood Apartments), located in close proximity and the significant Landscape Detractors of the A272, the railway line and the car parking on Site. As such it is judged that the local landscape is **Low Sensitivity**.
- 6.1.2 The new development would not be a congruous fit with the existing MSDC flagship design, 3 No. three storey apartment blocks located directly east and would be an incremental residential addition in this recently built suburban area. Whilst some scrubby, grassland, open space would be lost there are opportunities to strengthen existing planting, implement new planting to soften the built form influence of the existing apartment blocks and the railway palisade fencing and incorporate additional biodiversity enhancements. For these reasons the Magnitude of Landscape Impact is judged to be **Low Adverse** at completion, **Negligible Adverse Effect/Not Significant** at completion, and **Low Adverse Landscape Impact/Negligible Adverse Landscape Effect/Not Significant** after the mitigation planting would have established at 15 years.

6.2 National Character

- 6.2.1 *Natural England, National Character Area (NCA) 121, the Low Weald*
- 6.2.1.1 NCA 121 is broad in scale and the impact of the development is judged by assessing its descriptions of Landscape Character and the Statements of Environmental Opportunity (SEOs 1 and 4). At this scale, the change as a result of the development, would be perceived as indiscernible at completion and after proposed planting would have established. The Landscape Sensitivity is judged as **Medium**, the Magnitude of Landscape Impact is judged to be **Low Adverse** at completion, **Minor Adverse Effect/Not Significant** at completion, and **Low Adverse Landscape Impact/Minor Adverse Landscape Effect/Not Significant** after the mitigation planting would have established at 15 years.

6.3 County Landscape Character

- 6.3.1 *West Sussex Landscape Assessment 2003 (updated 2010) - Landscape Character Area (LCA) HW4, High Weald Fringes.*
- 6.3.1.1 HW4, High Weald Fringes describes context at a county scale which is more relevant than the national scale although its descriptions are also broad. At this scale the change as a result of the development would also be perceived as indiscernible. The Landscape Sensitivity is judged as **Medium**, the Magnitude of Landscape Impact is judged to be **Low Adverse** at completion, **Minor Adverse Effect/Not Significant** at completion, and **Low Adverse Landscape Impact/Minor Adverse Landscape Effect/Not Significant** after the mitigation planting would have established at 15 years.

6.4 District Landscape Character

- 6.4.1 The *Mid Sussex (MS) Landscape Character Assessment, 2005, LCA 10, High Weald Fringes* is more closely aligned with the county scale and is judged to be **Medium Sensitivity**. As such at this scale the change as a result of the development would also be perceived as indiscernible. As such the Magnitude of Landscape Impact is judged to be **Low Adverse** at completion, **Minor Adverse Effect/Not Significant** at completion, and **Low Adverse Landscape Impact/Minor Adverse Landscape Effect/Not Significant** after the mitigation planting would have established at 15 years.
- 6.4.2 The *Mid Sussex Landscape Capacity Study, 2007, LCA, Zone 4: Haywards Heath, Lindfield, Cuckfield and surrounding Areas, LCA 53 Fox Hill*, is more specific to the Site and as such it is more closely aligned with the local scale description. This LCA is judged to be **Low to Medium Sensitivity** (or as stated by Mid Sussex, 'Slight' Sensitivity with a 'High Capacity' for Change). As such at the Magnitude of Landscape Impact is judged to be **Low Adverse** at completion, **Negligible Adverse Effect/Not Significant** at completion, and **Low Adverse Landscape Impact/Negligible Adverse Landscape Effect/Not Significant** after the mitigation planting would have established at 15 years.

6.5 Visual Impacts/Effects (see Figure 11, Tables 2a and b and Appendix 1)

- 6.5.1 The development would be relatively discreet as it is located: directly west of the existing Kilnwood Apartment Blocks which predominantly screen and allow only partial views in from the east; directly south of Old Rocky Lane which is a tree lined track that predominantly obscures views in from the north; and directly east of the railway line (in cutting) which is fenced off and which (with the sloping topography and intervening vegetation) obscures all ground level views in from the west. The new building would replace and screen the existing car parking (6 spaces are being moved in to the main existing car park) for views in from the south. To the south the development would be more open to the A272 and the suburban housing that has been built on the opposite side of the road, although views in from the south are restricted to predominantly near distance Viewpoints. The new building would be seen as a high quality addition, replicating the MSDC's flagship design, Kilnwood Apartments. As such most of the Viewpoints with views (10 in total), 9 No (Viewpoints 4, 5, 6, 7, 16 (semi-public view), 20, 21, 23 and 24) are near distance and 1 No (Viewpoints 9) is medium distance. These are shown within the ZTV, a zone which follows the open landscape either side of the A272 where local housing and/or existing vegetation allow visual gaps.
- 6.5.2 There are numerous houses which may have views of the development, these are predominantly located on the opposite side of the A272. Views from these houses would see the landscape detracting A272 in the foreground or middle ground, and are likely to be influenced by the railway line also. The development would also be seen in the context of the three Kilnwood Apartment blocks and it would screen views of the existing car park. To the north (Old Rocky Lane, including the Grade II Listed Building, Old House Cottages (ref: 1354957)), and to the north west, on the opposite of the railway bridge, the views from properties and open space, are generally screened or predominantly obscured by the planting along the northern boundary of the Kilnwood Apartments complex. The development would be openly discernible to users of the A272, as they pass, although these views are likely to be perpendicular or tangential, making them fleeting glimpses. The A272 users include vehicles, moving at speed, cyclists and pedestrians.
- 6.5.3 The development would not be discernible for visual receptors using the South Downs over 9km, to the south and south west.

- 6.5.4 Of the 10 Viewpoints (with views) the Visual Sensitivity is judged as: two No. (Vs 9 and 20) would be **Medium**; two No. (Vs 5 and 16) would be **Low to Medium**; and six No. (Vs 4, 6, 7, 21, 23 and 2) would be **Low**.
- 6.5.5 Of the 10 Viewpoints that would be impacted, during construction, four No. (Vs 4 and 9) are judged to be **Slight Adverse** Impact, six No. (Vs 5, 6, 7, 20, 21, 23 and 24) are judged to be **Moderate Adverse** Impact, and one No. (V16) is judged to be **Major Adverse** Impact.
- 6.5.6 Of the 10 Viewpoints that would be impacted, at completion, two No. (Vs 4, and 9) are judged to be **Negligible Adverse** Magnitude of Impact, two No. (Vs 5 and 20) are judged to be **Slight Adverse**, one No. (V 23) is judged to be **Slight to Moderate Adverse** and five No. (Vs 6, 7, 16, 21 and 24) are judged to be **Moderate Adverse** Magnitude of Impact.
- 6.5.7 The Visual Effects for the 10 Viewpoints that would experience change at completion, two No. (Vs 4 and 9) are judged to be **Negligible Adverse/Not Significant**, two No. (Vs 5, 20 and 23) are judged to be **Negligible to Minor Adverse/Not Significant**, three No. (Vs 6, 7 and 21) are judged to be **Minor Adverse/Not Significant**, and one No. (V 16) is judged to be **Moderate Adverse/Cusp of Significant and Not Significant**.
- 6.5.8 The Visual Effects for the 10 Viewpoints that would experience change in the long term (15 years of planting establishment), two No. (Vs 4 and 9) are judged to be **Negligible Adverse Visual Impact/Negligible Adverse Visual Effect/Not Significant**, five No. (Vs 5, 6, 7 and 20 and 23) are judged to be **Slight Adverse Visual Impact/Negligible to Minor Adverse Visual Effect/Not Significant**, two No. (Vs 21, 23 and 24) are judged to be **Slight Adverse Visual Impact/Negligible Adverse Visual Effect/Not Significant**, and one No. (V 16) is judged to be **Moderate Adverse Visual Impact/Minor to Moderate Adverse Visual Effect/Not Significant/Cusp of Significant and Not Significant**.
- 6.5.9 As such it is concluded that all views would be not Significant at completion and in the long term with only one Viewpoint (16) being on the **Cusp of Significant and Not Significant**. Viewpoint 16 is a near distance and semi-public view from within the existing Kilnwood Apartments car park. It represents a limited visual experience for a small number of residents and there visitors using the car park and as such, it is recommended that this Viewpoint should not carry weight in the overall decision making.

6.6 Other considerations

- 6.6.1 The development would be more open when existing planting is not in leaf (see the hla 2021 LVIA, although much planting (especially along the railway corridor) has significantly established since then).
- 6.6.2 There would be a slight increase of additional lighting. However this would be seen in the local and wider context of illuminated housing, roads in and around the south part of Haywards Heath. The change would be incremental and it is not judged to be Significant.
- 6.6.3 There are no known planning consents that they may contribute to a Cumulative Landscape impact, when associated with the proposal.

6.7 Landscape Strategy/Mitigation (see Figures 12, 13 and 14)

6.7.1 Mitigation is not required for the Landscape Character and Visual Impacts/Effects.

The Landscape Strategy is put forward for Landscape Character and for Viewpoints 4, 6, 7, 21, 23, and 24. The proposals are shown iteratively on Figures 12, 13 and 14 and have been included in the design drawings for the Application. The work has been based on the following principles.

- Strengthened existing planting, to include *Native Understorey* species with a high percentage of evergreens and semi-evergreens.
- With regard to the 6 young trees for transplanting, the Arboricultural Assessment and Method Statement by Nicholas Jones Consultants, states on page 10, at 3.5

“Trees P1 – P6 which are young trees will be relocated to new positions on site to facilitate the proposed development. The trees are in excellent physiological condition and will tolerate relocation, which will be completed in accordance with the guidance contained in British Standard 4043:1989 Recommendations for transplanting rootballed trees.”
- New planting and seeding to be located at the following locations.
 - Screening buffer of native species including *Native Understorey* shrubs and climber planting located along the railway line boundary of the Site to soften the limited views in from the west and south west.
 - *Selected Standard* trees and *Native Understorey* shrubs located directly south of the proposed development on the bank between the new apartment block and teh A272, to soften the limited views in from south, south east and south west.

* Arboricultural 3.5 Trees P1 – P6 which are young trees will be relocated to new positions on site to facilitate the proposed development. The trees are in excellent physiological condition and will tolerate relocation, which will be completed in accordance with the guidance contained in British Standard 4043:1989 Recommendations for transplanting rootballed trees.

- Planting proposals would include introduced species around the car park with the following predominantly native species.

Selected Standard tree species

Acer campestre (Field Maple),
Carpinus betulus (Hornbeam),
Ilex aquifolium (Holly),
Prunus avium (Wild Cherry (Gean)

Native Understorey species

Acer campestre (Field Maple),
Corylus avellana (Hazel),
Ilex aquifolium (Holly),
Ligustrum vulgare (Wild Privet),
Rosa canina (Wild Rose),
Taxus baccata (Yew), and
Viburnum opulus (Guelder Rose).

Native climbers

Clematis Armandi (Clematis)
Hedera helix (Ivy)
Jasminum officinale 'Grandiflorum' (Catalonian Jasmine)
Lonicera periclymenum (Honeysuckle)
Parthenocissus tricuspidata (Boston Creeper)

- New biodiversity proposals, would include

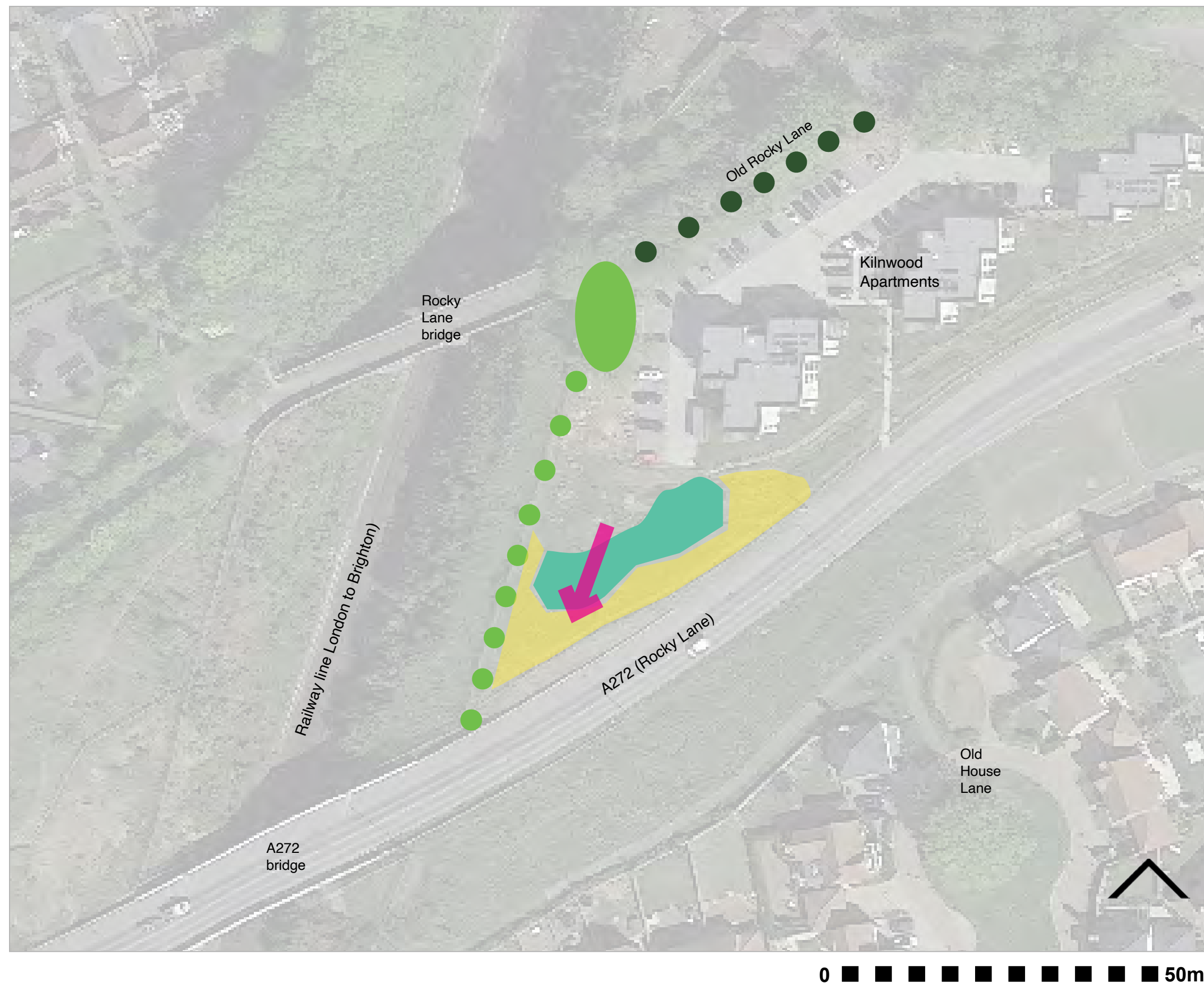
The implementation of biodiversity enhancements such as bird boxes, bat boxes and hibernacula.

- SUDS proposals, would include.

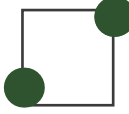
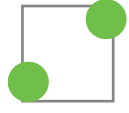
The use of surface water for biodiversity and attenuation (with an objective to retain all surface water on Site).

- Hard materials proposals would match those used for, the existing three Apartment blocks, the existing hard landscape surfaces (paths, car park surface, building thresholds etc), the fencing and the street furniture (including any lighting).

Figure 12 Landscape Strategy Plan



Key

-  Strengthen existing Old Rocky Lane planting, to include understorey native species
-  Strengthen native species planting along landscape detracting railway, pallsade fencing
-  Strengthen tree group to north west of Site, to include understorey native species
-  Strengthen tree planting to lessen impacts of A272 corridor
-  Enhance grass seed mixes (for spring and/or summer meadows). Consider area for use as attenuation and biodiversity enhancement (swales)
-  Potential to incorporate the high quality long distance views to the South Downs inclusion to outdoor (and private indoor) communal spaces for healthy living

Other Landscape Strategies could include:

- New biodiversity proposals, bird boxes, bat boxes and hibernacula.
- SUDS proposals, to include, for biodiversity and attenuation enhancement.
- Hard materials (building and hard landscape) proposals to match those used for, the existing three Kilndown Apartment blocks.

Figure 13 Planting Strategy Plan



Key



Existing tree planting

New understory planting

New climber planting
against pallisade fencing

New native hedge and tree
planting against pallisade
fencing

New meadow mixture
grass seed mix with high
pollen content

New tree planting

Figure 14 Planting Plan by Harper Landscape Architecture LLP (ref: hla 585 01 rev B)

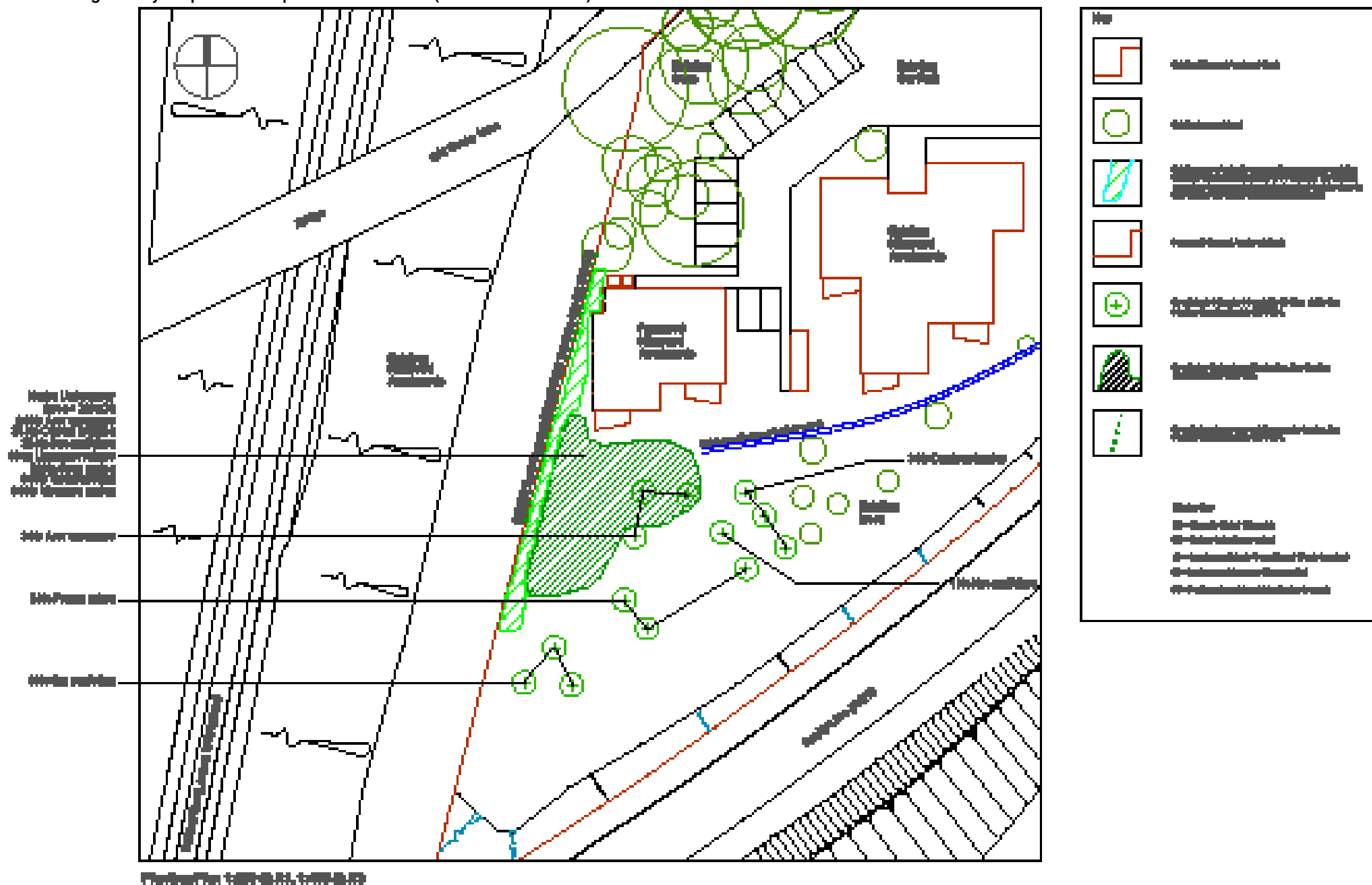


Table 2a, Landscape Impacts Summary Table - Landscape Character

	Landscape Value	Landscape Susceptibility	Landscape Sensitivity	During construction: Magnitude of Landscape Impact	At completion: Magnitude of Landscape Impact	At completion: Landscape Character Effect/Significance	Mitigation	After planting establishment (15 years): Landscape Impact/ Landscape Effect/Significance/ Duration
Landscape Character Impact/Effect								
Local landscape character (Site scale as described for the LVIA hla 585 R101)	Low to Medium	Low	Low	Low Adverse	Low Adverse	Negligible Adverse/ Not Significant	This has been included by way of planting on the south side of the new block and along the railway line boundary	Negligible Adverse Landscape Impact/Negligible Adverse Landscape Effect/Not Significant
Natural England Landscape Character Area (NCA)121, Low Weald	High	Low	Medium	Low Adverse	Low Adverse	Minor Adverse/Not Significant	Ditto	Negligible Adverse Landscape Impact/Minor Adverse Landscape Effect/Not Significant
West Sussex Landscape Assessment 2003 (updated 2010) - Landscape Character Area (LCA) HW4, High Weald Fringes	High	Low	Medium	Low Adverse	Low Adverse	Minor Adverse/Not Significant	Ditto	Negligible Adverse Landscape Impact/Minor Adverse Landscape Effect/Not Significant
Mid Sussex Landscape Character Assessment 2005, LCA 10, High Weald Fringes	High	Low	Medium	Low Adverse	Low Adverse	Minor Adverse/Not Significant	Ditto	Negligible Adverse Landscape Impact/Minor Adverse Landscape Effect/Not Significant
Mid Sussex Landscape Capacity Study 2007 (by Hankinsson Duckett) - Zone 4: Haywards Heath, Lindfield , Cuckfield and surrounding Areas with the Site located in LCA 53 Fox Hill. Land Use Consultants provided an update to the Capacity Assessment in 2014	Low to Medium	Low	Low (MSDC state <i>Slight Sensitivity</i> and <i>High Capacity</i>)	Low Adverse	Low Adverse	Negligible Adverse/ Not Significant	Ditto	Negligible Adverse Landscape Impact/Negligible Adverse Landscape Effect/Not Significant



Table 2b, Landscape Impacts Summary Table - Views, Viewpoints 1 to 16

	Visual Value	Visual Susceptibility	Visual Sensitivity	During construction: Magnitude of Visual Impact	At completion: Magnitude of Visual Impact	At completion: Visual Effect/ Significance	Mitigation	After planting establishment (15 years): Visual Impact/Visual Effect/Significance/Duration
Viewpoint 1 - (BW Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 2 From A272, eastern approach to Rocky Lane roundabout, 200m east of the Site. GPS ref: Lat 50.986587, Long -0.108551. 68m AOD	Low to Medium	Low	Low	No Change	No Change	No Change/Not Significant	Not required	No Change/Not Significant
Viewpoint 3 From Old Rocky Lane access on to A272, 60m north east of the Site. GPS ref: Lat 50.986587, Long -0.108551. 65m AOD	Low to Medium	Low	Low	No Change	No Change	No Change/Not Significant	Not required	No Change/Not Significant
Viewpoint 4 Outside No. 10 Northern Platt, 100m east of the Site. GPS ref: Lat 50.985624, Long -0.110147. 60m AOD	Low to Medium	Low	Low	Slight Adverse	Negligible Adverse	Negligible Adverse/ Not Significant	This has been included by way of planting on the south side of the new block	Negligible Adverse Visual Impact/ Negligible Adverse Visual Effect/ Not Significant
Viewpoint 5 From from Rocky Lane, looking south at the Site entrance. GPS ref: Lat 50.986274, Long -0.111086. 65m AOD	Low to Medium	Low to Medium	Low to Medium	Moderate Adverse	Slight Adverse	Negligible to Minor Adverse/ Not Significant	Not required	Slight Adverse Visual Impact/ Negligible to Minor Adverse Visual Effect/ Not Significant
Viewpoint 6 From 50m south of the Site, on an elevated grass verge, south side of A272. GPS ref: Lat 50.985010, Long -0.111792. 58m AOD	Low	Medium	Low	Moderate Adverse	Moderate Adverse	Minor Adverse/ Not Significant	This has been included by way of planting on the south side of the new block	Slight Adverse Visual Impact/ Negligible to Minor Adverse Visual Effect/ Not Significant
Viewpoint 7 From 80m south west of the Site, on an elevated grass verge, south side of the A272. GPS ref: Lat 50.984812, Long -0.112424. 57m AOD	Low	Medium	Low	Moderate Adverse	Moderate Adverse	Minor Adverse/ Not Significant	This has been included by way of planting on the south side of the new block	Slight Adverse Visual Impact/ Negligible to Minor Adverse Visual Effect/ Not Significant
Viewpoint 8 From junction of Rocky Lane (south) and the A272 250m west of the Site. GPS ref: Lat 50.984006, Long -0.115752. 50m AOD	Low	Low	Low	No Change	No Change	No Change/ Not Significant	Not required	No Change/ Not Significant
Viewpoint 9 From PRoW 89CR (Footpath), 750m south west of the Site. GPS ref: Lat 50.982117, Long -0.121111. 59m AOD	Medium	Medium	Medium	Slight Adverse	Negligible Adverse	Negligible Adverse/ Not Significant	Not required	Negligible Adverse Visual Impact/ Negligible Adverse Visual Effect/ Not Significant
Viewpoint 10 - (BW Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 11 - (BW Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 12 - (BW Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 13 - (BW Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 14 - (BW Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 15 - (BW Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 16 From within the existing Kilnwood Apartments car park and the proposed Site area looking south. GPS ref: Lat 50.986006, Long -0.111751. 65m AOD	Low to Medium	Medium	Low to Medium	Major Adverse	Moderate Adverse	Minor to Moderate Adverse/ Cusp of Significant/ Not Significant	It is not possible to mitigate using planting	Moderate Adverse Visual Impact/ Minor to Moderate Adverse Visual Effect/ Cusp of Significant and Not Significant

Table 2c, Landscape Impacts Summary Table - Views, Viewpoints 17 to 24

	Visual Value	Visual Susceptibility	Visual Sensitivity	During construction: Magnitude of Visual Impact	At completion: Magnitude of Visual Impact	At completion: Visual Effect/ Significance	Mitigation	After planting establishment (15 years): Visual Impact/Visual Effect/Significance/Duration
Viewpoint 17 From the opposite side of the railway line and 50m north west of the Site. GPS ref: Lat 50.985827, Long -0.113014. 64m AOD	Medium	Low	Low	No Change	No Change	No Change/Not Significant	Not required	No Change/Not Significant
Viewpoint 18 From just outside the play area located 100m west of the Site. GPS ref: Lat 50.985626, Long -0.113655. 63m AOD	Low to Medium	Medium	Low to Medium	No Change	No Change	No Change/Not Significant	Not required	No Change/Not Significant
Viewpoint 19 - (HLA additional 2021 Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 20 From from Rocky Lane, looking south at the Site's northerly boundary. GPS ref: Lat 50.986095, Long -0.111842. 65m AOD	Medium	Medium	Medium	Moderate Adverse	Slight Adverse	Negligible to Minor Adverse/Not Significant	Not required	Slight Adverse Visual Impact/ Negligible to Minor Adverse Visual Effect/Not Significant
Viewpoint 21 From the village green area of Old House Lane, 70m south east of the Site. GPS ref: Lat 50.985067, Long -0.111019. 53m AOD	Low to Medium	Low	Low	Moderate Adverse	Moderate Adverse	Minor Adverse/Not Significant	This has been included by way of planting on the south side of the new block	Slight Adverse Visual Impact/ Negligible Adverse Visual Effect/ Not Significant
Viewpoint 22 - (HLA additional 2021 Viewpoint) NO VIEW	NA	NA	NA	NA	NA	NA	NA	NA
Viewpoint 23 From 75m south west of the Site, on the A272 pavement and railway bridge. GPS ref: Lat 50.98486, Long -0.11324. 56m AOD	Low	Medium	Low	Moderate Adverse	Slight to Moderate Adverse	Negligible to Minor Adverse/Not Significant	This has been included by way of planting on the south side of the new block	Slight Adverse Visual Impact/ Negligible Adverse Visual Effect/ Not Significant
Viewpoint 24 From 25m south west of the Site, on the A272 pavement and railway bridge. GPS ref: Lat 50.985000, Long -0.11235. 57m AOD	Low	Medium	Low	Moderate Adverse	Moderate Adverse	Minor Adverse/Not Significant	This has been included by way of planting on the south side of the new block	Slight Adverse Visual Impact/ Negligible Adverse Visual Effect/ Not Significant



7.0 Conclusions

- 7.0.1 This report has assessed the Landscape Character and Visual Impacts/Effects in relation to the Landscape Baseline and as a result of the proposals for the new Apartment block (an extension of MSDC's flagship design, Kilnwood Apartments), proposed as a three storey building, containing 6 No. apartments, with associated hard landscape and planting.

7.1 Landscape Character Impact

- 7.1.1 Using the published Landscape Assessments at national, county and one at the district (*LCA 10*) scale the Landscape Sensitivity is judged as **Medium**. At the more specific district (*LCA 53 Fox Hill*) MSDC state '*Slight Sensitivity* and *High Capacity*,' and the local scale the Landscape Sensitivity is judged as **Low**. During Construction and at completion the judgements are **Low Adverse** Magnitude of Landscape Impact for all scales. Also at completion the judgements at national, county and district (*LCA 10*) scales are all **Minor Adverse Landscape Effect/Not Significant** and at the more specific district (*LCA 53 Fox Hill*) and the local scales the judgements are all **Negligible Adverse Landscape Effect/Not Significant**. After planting establishment (15 years) the judgements at national, county and district (*LCA 10*) scales, are all **Negligible Adverse Impact/Minor Adverse Landscape Effect/Not Significant** and at the more specific district (*LCA 53 Fox Hill*) and at the local scale the judgements are all **Negligible Adverse Impact/Negligible Adverse Landscape Effect/Not Significant**.

- 7.1.2 In conclusion Landscape Character judgements are **Not Significant** at all scales from completion and in to the long term.

7.2 Visual Impact

- 7.2.1 The development would be relatively discreet allowing only partial, (mostly near distance) views in from the north, east and west and seen as a block replicating the MSDC high quality, precedent, MSDC flagship, Kilnwood Apartments. From the south the development would be more open to the A272 and the C21st suburban housing located beyond, however views in from the south would be near distance. Overall the Viewpoints with views (10 in total), include 9 No. (Viewpoints 4, 5, 6, 7, 16 (semi-public view), 20, 21, 23 and 24) that are near distance and 1 No (Viewpoints 9) that is medium distance. These are shown within the ZTV, either side of the A272, where local housing and/or existing vegetation allow visual gaps.
- 7.2.2 There are numerous houses which may have views of the development, these are predominantly located on the opposite side of the A272 and would see the development with the Landscape Detractors (A272 and railway line (with associated fencing and bridges)) in the foreground and middle ground. The development would also be seen as a congruous built form in its context with the three Kilnwood Apartment blocks. To the north (including the Grade II Listed Building, Old House Cottages) and to the north west, on the opposite of the railway bridge, the views from properties and open space, would be predominantly obscured or screened by the planting along the northern boundary of the Kilnwood Apartments complex and Old Rocky Lane. The development would be openly discernible to users of the A272, as they pass, although these views are likely to be perpendicular, tangential and fleeting.
- 7.2.3 The development would not be discernible for High Sensitivity visual receptors using the South Downs ridge lines, located over 9km, to the south and south west.
- 7.2.4 Of the 10 Viewpoints (with views) the Visual Sensitivity is judged as: two No. (Vs 9 and 20) would be **Medium**; two No. (Vs 5 and 16) would be **Low to Medium**; and six No. (Vs 4, 6, 7, 21, 23 and 24) would be **Low**.

- 7.2.5 Of the 10 Viewpoints that would be impacted, during construction, four No. (Vs 4 and 9) are judged to be **Slight Adverse** Impact, six No. (Vs 5, 6, 7, 20, 21, 23 and 24) are judged to be **Moderate Adverse** Impact, and one No. (V16) is judged to be **Major Adverse** Impact.

- 7.2.6 Of the 10 Viewpoints that would be impacted, at completion, two No. (Vs 4, and 9) are judged to be **Negligible Adverse** Magnitude of Impact, two No. (Vs 5 and 20) are judged to be **Slight Adverse**, one No. (V 23) is judged to be **Slight to Moderate Adverse** and five No. (Vs 6, 7, 16, 21 and 24) are judged to be **Moderate Adverse** Magnitude of Impact.

- 7.2.7 The Visual Effects for the 10 Viewpoints that would experience change at completion, two No. (Vs 4 and 9) are judged to be **Negligible Adverse/Not Significant**, two No. (Vs 5, 20 and 23) are judged to be **Negligible to Minor Adverse/Not Significant**, three No. (Vs 6, 7 and 21) are judged to be **Minor Adverse/Not Significant**, and one No. (V 16) is judged to be **Moderate Adverse/Cusp of Significant and Not Significant**.

- 7.2.8 The Visual Effects for the 10 Viewpoints that would experience change in the long term (15 years of planting establishment), two No. (Vs 4 and 9) are judged to be **Negligible Adverse Visual Impact/Negligible Adverse Visual Effect/Not Significant**, five No. (Vs 5, 6, 7 and 20 and 23) are judged to be **Slight Adverse Visual Impact/Negligible to Minor Adverse Visual Effect/Not Significant**, two No. (Vs 21, 23 and 24) are judged to be **Slight Adverse Visual Impact/Negligible Adverse Visual Effect/Not Significant**, and one No. (V 16) is judged to be **Moderate Adverse Visual Impact/Minor to Moderate Adverse Visual Effect/Not Significant/Cusp of Significant and Not Significant**.

- 7.2.9 As such it is concluded that all views would be **Not Significant** at completion and in the long term with only one Viewpoint (16) being on the **Cusp of Significant and Not Significant**. Viewpoint 16 is a near distance and semi-public view from within the existing Kilnwood Apartments car park. It represents a limited visual experience for a small number of residents and there visitors using the car park and as such, it is recommended that this Viewpoint should not carry weight in the overall decision making.

7.3 Other considerations

- 7.3.1 The development would be more open when existing planting is not in leaf (see the hla 2021 LVIA, although much planting (especially along the railway corridor) has significantly established since then).
- 7.3.2 There would be a slight increase of additional lighting. However this would be seen in the local and wider context of illuminated housing, roads in and around the south part of Haywards Heath. The change would be incremental and it is not judged to be Significant.
- 7.3.3 There are no known planning consents that they may contribute to a Cumulative Landscape impact, when associated with the proposal.

7.4 Landscape Strategy/Mitigation

- 7.4.1 Mitigation is not required for the Landscape Character and Visual Impacts and effects although planting has been included in the scheme so soften the existing and new built forms (see 6.7 above).

8.0 Final Statement

- 8.1 General
 - 8.1.1 The proposals have been sensitively and iteratively designed, to blend with the local Low Weald and Haywards Heath suburban edge character and to assesses matters raised by the Landscape Officer and PINS in relation to the previous Application for the 9 No. dwelling apartment block. The proposals are for a replicated design put forward to match the existing high quality, MSDC precedent and flagship Kilnwood Apartments architecture, layout, pattern and materiality, and the new proposal incorporates a Landscape Strategy to soften the Impacts/Effects of the new built form.
- 8.2 Landscape Character
 - 8.2.1 The Landscape Character Impacts, at completion and after planting would have established: at national, county and district (2005) scales are broad in description, cover a wide area, and as such are judged to be Minor Adverse/Not Significant; and at the local and the more Site specific, district (2007) scale, as Negligible Adverse/Not Significant.
- 8.3 Views
 - 8.3.1 The development would be relatively discreet allowing only partial, near distance views in from the north, east and west. It would be seen as a congruous block echoing the high quality, Kilnwood Apartments. To the south the development would be more open to the A272 and the suburban housing located beyond the road. Views from the south are near distance Viewpoints and they all see Landscape Detracting elements (busy A272, railway fencing, cutting and bridges) in the visual composition. Overall, after planting would have established, it is judged that of the 10 Viewpoints that would be changed, 9 No. are judged to be Not Significant and 1 No. (V16) would be on the Cusp of Significant/Not Significant. As Viewpoint 16 is a semi-public view that is within the Site and seen by the residents (and visitors) of apartment blocks only, it is recommended that this should not carry weight in the overall decision making. There are numerous houses which may have views of the development, these views would see the Landscape Detractors, as listed above, and it is judged that they would experience Not Significant Visual Impacts.
- 8.4 Other impacts
 - 8.4.1 The development may be more open when there are no leaves on the trees however the judgements would not alter seasonally. There would be an incremental, Not Significant increase in the amount lighting that would be seen and there are no known planning applications or consents that may contribute to Cumulative Landscape impact.
- 8.5 Landscape Strategy/Mitigation
 - 8.5.1 The proposal has incorporated the Landscape Strategy proposals in order to lessen the Landscape and Visual Impacts/Effects, and to blend the development with its surroundings to soften the existing and new built forms.
- 8.6 Landscape planning policy
 - 8.6.1 It is judged that the scheme would be in line with, national planning policy (NPPF December 2024), the Mid Sussex District Plan 2014 to 2031, adopted 2018 and the Haywards Heath Town Council Neighbourhood Plan, 2016, as the changes proposed would result in Not Significant Landscape Character and Visual Impacts.
 - 8.6.2 The reason for refusal (ref: *DM/20/3456*), 8th April 2021, concluded the following.

“the proposal fails to comply with policies DP26 and DP37 of the Mid Sussex Development Plan, policies E9 and H8 of the Haywards Heath Neighbourhood Plan and the Mid Sussex Design Guide SPD. Accordingly, the application is recommended for refusal.”

However the conclusion for Not Significant Landscape and Visual Impacts, formed by this LVIA, contradicts the landscape conclusions put forward in the reasons for refusal. This is because the Site is not ‘*Semi-rural*’ in character, the overall tree amenity would not be harmed (6 young trees would be relocated with a very high probability of successful transplantation), the new tree specification would be a long term sustainable element, and the Site is congruous (a replica of the adjacent MSDC flagship architecture, Kilnwood Apartments) and a well located discreet position for the development. The new building has responded by proposing an apartment block that has a smaller footprint and that is set back a further 25m compared with the previous application. As such it is judged that the development would comply with the landscape policies quoted by the Case Officer.
- 8.7 Recommendation
 - 8.7.1 There are good grounds with regard to Landscape Character and Visual impacts, for planning consent to be granted by Mid Sussex District Council for the proposed 6 No. Apartment block at Kilndown Apartments complex, Old Rocky Lane, Haywards Heath on Land south of Old Rocky Lane, Haywards Heath.

APPENDIX A

1.0 Landscape Character and Visual impact methodologies

1.1 Introduction

- 1.1.1 This section addresses the Landscape Character and Visual impacts. This section addresses how Landscape Character and Visual, baseline conditions are judged to be impacted by development.

1.2 Landscape and Visual Impact Assessment Methodology, general

- 1.2.1 Landscape and Visual impact judgements proposed in this report, are based upon professional experience and by utilising the principles as set out in the Guidelines for Landscape and Visual Impact Assessment (GLVIA), 3rd Edition, 2013, by the Landscape Institute and the Institute of Environmental Management and Assessment and by reference to the Technical Guidance Note, Assessing Landscape Value outside National Designations (TGN 02-21).

1.3 Landscape Character Impact Methodology

1.3.1 General

- 1.3.1.1 Landscape Character impacts relate to the effects of the proposals on the physical resources and other characteristics of the landscape and its resulting character and quality. Landscape resources and character are considered to be of importance in their own right and valued for their intrinsic qualities regardless of whether they are seen. Landscape receptors are defined as aspects of the landscape resource that have the potential to be affected by a proposal.

- 1.3.1.2 There is no standard methodology for the quantification of the scale or magnitude of relative effects for Landscape Character although there is guidance in GLVIA 3 and TGN 02-20. As such the following definitions are proposed so that Landscape Character judgements can be made. Landscape Character is assessed by assessing the effects of the development at different scales. The term 'Local' is used to define the area within or influenced by the Appeal Site and is likely to closely follow the extent of the Zone of Theoretical Visibility (used in the Visual section).

- 1.3.1.3 The methodology sets out how to make Landscape Character impact judgements. Sensitivity is determined by cross referencing Landscape Value with Landscape Susceptibility (see Table 1). The Magnitude of Impact of the development is then judged at local to national scales. The Significance of Landscape Effect is determined by cross referencing the judgements made for, the Sensitivity of the Landscape Receptor and the Magnitude of Change (see Table 2).

1.3.2 Landscape Value

- 1.3.2.1 Landscape Value is the relative value or importance attached to different landscapes by society on account of their landscape qualities. It is inherent and independent of the proposed development. Landscape qualities are characteristics or features of a landscape that are valued, usually referred to as special qualities in relation to nationally designated landscape. Landscape characteristics are elements which make a particular contribution to landscape character. Landscape Value is assessed using the following range of factors (in oblique, referenced from GLVIA 3, item 5.28, Box 5.1 with some minor changes with the issue of TGN 2/21, as noted).

- *Landscape condition (revision from quality TGN 2/21).* 'A measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements.'

- *Scenic quality.* 'The term is used to describe landscapes that appeal primarily to the senses (primarily but not wholly the visual senses).'
- *Distinctiveness (combines Rarity and Representativeness).* *Rarity* is 'The presence of rare elements or features in the landscape or the presence of a rare Landscape Character Type.' *Representativeness* is whether the landscape contains a particular character and/or features or elements which are considered particularly important examples.'
- *Conservation* (natural heritage factors (TGN 2/21) interests. 'The presence of features of wildlife, earth science or archaeological or historical and cultural interest can add to the value of the landscape as well as having value in their own right.'
- *Recreation value.* 'Evidence that the landscape is valued for recreational activity where experience of the landscape is important.'
- *Perceptual aspects.* 'A landscape may be valued for its perceptual qualities, notably wildness, remoteness and/or tranquillity.'
- *Associations.* 'Some landscapes are associated with particular people, such as artists or writers, or events in history that contribute to perceptions of the natural beauty of the area.'
- *Function (TGN 2/221).* 'The value attached to landscapes which perform a clearly identifiable and valuable function.'

- 1.3.2.2 Landscape Value judgements are made using the following (linked to the GLVIA 3 categorisations on page 39 and Appendix 6).

- **Very Low** (which could be categorised as a landscape significantly influenced by a dominant landscape detractor).
- **Low** (which could be categorised as Local Community or a landscape which is not designated or protected, which does not make a positive contribution, which is in poor condition, and/or which has been residually altered by detrimental man-made activity, possibly at a small scale)
- **Medium** (which could be categorised as Regional or Local Authority (GLVIA) or an undesignated landscape judged to have a higher (than the Low) value as a result of assessment carried out in accordance with TGN 02-21) or a landscape which may be part of a local designation or other value, that makes a moderately positive contribution, which is in moderate condition, and/or which may have some detrimental activity as a result of man-made intrusion. These may include Local Plan Landscape designations or other undesignated landscapes that have some other medium landscape value.
- **High** (which could be classed as regional, international or national): a landscape which is covered by an international, national designation or in some cases is of regional interest or other important value, that makes an important and positive contribution to its wider context. These may include World Heritage Sites, National Parks, AONBs, Heritage Coasts, Registered Parks and Gardens, including the setting of these.
- **Very High** (which could be classed as international or national): a landscape which is covered by an international or national designation that makes an highly important and significantly positive contribution to its wider context. These may include World Heritage Sites, National Parks, AONBs, or Heritage Coasts.

1.3.2.3 In respect of a test for judging a ‘valued landscape,’ (outside national designations), as referred to in NPPF, Paragraph 174 part a) the following definition is given on page 42 of LI TGN 02/21, Appendix 7, titled ‘The valued landscape policy test’ in England,’ item A4.2.11.

“A ‘valued landscape’ is an area identified as having sufficient landscape qualities to elevate it above other more everyday landscapes.”

The TGN (also page 42) notes that ‘Everyday’ landscapes may nevertheless have value to people. GLVIA 3, item 5.28, Box 5.1 TGN 2/21, is also relevant, as noted at 1.4.2.1, below.

1.3.3 Landscape Susceptibility

1.3.3.1 Landscape Susceptibility judgements are based on the physical state of the landscape and influential elements (Landscape Receptors) within it. It is development. specific It is about its intactness from visual, functional and ecological perspectives. It also reflects the state of repair of individual features and elements which make up the character in any one place. Judgements are made to assess the ability of Landscape Receptors to accommodate change as a result of proposed development in relation to the baseline. Landscape Receptors can include overall character, key characteristics, individual elements or features and specific aesthetic or perceptual aspects. Landscape Susceptibility judgements are made using the following.

- **Low:** a landscape where Receptors are likely to make a minimal positive contribution so that it could accommodate the type of development being proposed without causing a detrimental change to the baseline condition.
- **Medium:** a landscape where Receptors are likely to make a moderately positive contribution so that it could accommodate partial development or there is potential for effective mitigation to offset detrimental change to the baseline condition.
- **High:** a landscape where Receptors are likely to make a highly positive contribution so that it is unlikely that it could accommodate the type of development being proposed (even with mitigation) and would cause a detrimental and residual change to the baseline condition.

1.3.4 Landscape Sensitivity (see Table 1.)

1.3.4.1 Landscape Sensitivity is the degree to which the Landscape can accommodate change without adverse impact on its character and is judged by cross referencing value with susceptibility.

Table 1 Determining Landscape Sensitivity						
				Value		
		Very Low	Low	Medium	High	Very High
	Low	Very Low	Low	Low	Medium	Medium
Susceptibility	Medium	Low	Low	Medium	High	High
	High	Medium	Medium	High	High	Very High

1.3.4.2 Landscape Sensitivity is described as follows.

- **Very Low** is defined as a Landscape that has Very Low Value (likely to be significantly influenced by a dominant landscape detractor) with Low Susceptibility so that it would be tolerant of the type of change envisaged.

- **Low** is defined as a Landscape which is unlikely to include Local Plan landscape designations and which is likely to be a landscape that has poor or damaged landscape characteristics. It is likely to be tolerant of the type of change envisaged.
- **Medium** is defined as a landscape which is likely to include Local Plan Landscape designations or other undesignated Landscape characteristics and to be of local or district (borough) scale or community importance. It is likely to be a landscape that contributes positively to the character of an area, and it may have capacity to accommodate a degree (potentially with mitigation) of the type of change envisaged and
- **High** is defined as a Landscape likely to protected by a regional, national or international designation and/or widely acknowledged for its Medium to Very High value and/or its Medium to High Susceptibility. It is a Landscape with distinctive character that would be residually altered by the type of change envisaged irrespective of mitigation.
- **Very High** is defined as a Landscape protected by a national or international designation and/or widely acknowledged for its Very High value and High Susceptibility. It is a Landscape with a significantly distinctive character that would be residually altered by the type of change envisaged irrespective of mitigation..

1.3.5 Magnitude of Landscape Effect

1.3.5.1 Magnitude of Landscape Effect refers to the extent to which proposed development would alter the existing characteristics of a landscape and combines judgements on; size or scale of effect, geographical extent influenced; the duration; and the reversibility.

1.3.5.2 Magnitude of Landscape change is described using the following terms,

- **Low** is defined as just perceptible, long term change in components of a landscape or more noticeable temporary and reversible changes.
- **Medium** is defined as clearly perceptible, long term changes or loss of important features in a Character Area but which result in only relatively subtle changes in Character; or changes in a small part of a Character Area which will have a clear effect on the immediate locality. Clearly perceptible change in setting to a neighbouring Character Area which is sufficient to influence its own character, and
- **High** is defined as clearly perceptible changes, for example the loss of features which make an essential contribution to a character area, or the introduction of new large-scale features in to a character area where these are not typical, or change exerted by an overriding influence on a neighbouring character

1.3.5.3 Duration of Landscape Effect is judged as follows.

- **Short term or reversible:** (effects have no influence and the existing baseline Landscape would be returned).
- **Medium term or partially reversible:** (effects that would last until planting establishment becomes effective (10 to 25 years).
- **Long term or not reversible:** (permanent effects).



1.3.6 Significance of Landscape Effect (see Table 2)

1.3.6.1 The Significance of Landscape Effect determines how important the changes might be for the landscape in terms of mitigation and the long term residual effects. It is judged using Table 2.

Table 2 Determining Significance of Landscape Effects				
Sensitivity of receptor	Magnitude of change (Adverse or Beneficial)			
	Very Low	Low	Medium	High
		Negligible/Not Significant	Negligible/Not Significant	Minor/Not Significant
		Negligible/Not Significant	Minor/Not Significant	Minor/Not Significant
		Minor/Not Significant	Moderate/Significant	Moderate/Significant
		Minor/Not Significant	Moderate/Significant	Major/Significant
	Very High	Minor/Not Significant	Moderate/Significant	Major/Significant
Key to Table 2				
Negligible	Not significant			
Minor	Mitigation should be explored but the effect would be a consideration of only limited Significance in the judgement			
Moderate	Every effort should be made to mitigate the impact and if moderate residual effects remain these would be Significant			
Major	Every effort should be made to mitigate the impacts/effects and if residual major effects remain these would be Significant			

1.4 Visual Impact Methodology

1.4.1 General

1.4.1.1 Visual impacts relate to the effects on the existing visual amenity and the impact on Visual Receptors. Visual Receptors are people with views that may be altered by new development. Effects on visual amenity, as perceived by Landscape Receptors, are therefore clearly distinguished from, although they can be linked to Landscape effects.

1.4.1.2 Viewpoints 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 23 and 24 and visual impacts are described in Appendix 1 hla 585 R02. Near distance views are defined as being under 200m from the site, medium distance, 200m to 1km, and long distance, as over 1km.

1.4.2 Photographic Methodology (see Appendix 7)

1.4.2.1 In demonstrating photographic evidence to support Viewpoint descriptions and impact judgements it is important to have a photographic methodology that can be repeated by any other party. As such this LVIA uses the Landscape Institute Advice Note 06/19 Visual Representation of Development Proposals 17-09-19 (Appendix 6) as the basis for Viewpoint Photography.

1.4.2.2 Photographic viewpoints are selected to give typical or representative views from a variety of locations and from near, middle and long distance locations. All Viewpoints are publicly accessible locations in the landscape.

1.4.2.3 Each photograph is taken from a height approximately 1.5m (eye level) above ground level.

1.4.2.4 The camera used for the viewpoints was a Canon EOS R7 digital mirrorless camera with a 50mm lens. Suppliers of cameras of this type prescribe this as the set-up which most closely resembles the image as seen by the human eye.

1.4.2.5 All photographs were taken at a time when views were clear and during the day. These photographs can be used for photomontage presentations although this is not the case with this LVIA.

1.4.3 Visual Baseline

1.4.3.1 Views to the Appeal Site were selected by desktop and on Site assessment as the most likely public locations that views of the development might experience a change. As such they demonstrate highest impact or worst case scenario views, as seen on the 2nd June 2025.

1.4.4 Visual Impact Assessment structure

1.4.4.1 The methodology sets out how to make Visual impact judgements. Sensitivity is determined by judging and then cross referencing Visual Value with Visual Susceptibility using Table 3. The Magnitude of Impact for each Viewpoint is determined using Table 4 and the Significance of Visual Effect as a consequence of the development is put forward using Table 5 which cross references the judgements for Visual Sensitivity and Magnitude of Change. The judgements also consider seasonal variations (when there are no leaves on the trees) and at night time.

1.4.5 Visual Value

1.4.5.1 Visual Value judgements relate to the value attached to the view (not the visual receptor). The Value judgements are made using the following criteria.

- **Very Low:** Views which are undocumented, not protected by any designation and dominated by a significant landscape detracting element or significant detrimental man-made intrusion.
- **Low:** Views which are not documented or protected by any designation or do not have any other cultural, historic, ecological or that have some detrimental man-made intrusion.
- **Medium:** Views which have a moderate level of visual interest and where the elements within the view are relatively intact for example local open space and local footpaths or which might be protected by: County; District (or Borough) and Parish designations; or where there is a moderate level of interest for cultural, historic, ecological, or other moderately important reasons, that may influence the view.
- **High:** High quality views where the attention or interest is prolonged and focused on the visual surroundings, where there is a high level of scenic visual interest or the composition includes significant cultural, historic, ecological or other important influences and which is likely to have limited or positive man-made intervention (unless of cultural value).



- **Very High:** Proprietary views where the attention or interest is prolonged and focused on the visual surroundings at an: international (World Heritage Sites); national (National Parks, AONBs and Heritage Coasts); county; regional or district scale, where there is a high level of scenic visual interest or the composition includes significant cultural, historic, ecological or other important influences and which is likely to have extremely limited or positive man-made intervention (unless of cultural value).

1.4.6 Visual Susceptibility

- 1.4.6.1 Visual Susceptibility is the ability of a view to accommodate the type of development being proposed without undue consequences for the maintenance of the baseline situation and judgements are made using the listed criteria as follows.
- **Low:** Views where the Visual Receptor’s attention is not on their surroundings and where setting is not important to the quality of working life. Receptors might include drivers, people who are engaged in work tasks or people engaged in sport where the view is not an integral part of the experience.
 - **Medium:** Views where the Visual Receptors may have a moderate level of interest for example local open space users, local people walking in community areas or engaged in sport where the view is not an integral part of the experience (cycling, walking, jogging etc) and passengers in vehicles.
 - **High:** Views where the Visual Receptors have a high level of interest or where views are recorded in Management Plans or guide books or Views associated with nationally designated landscapes: notable views from a National Trail or promoted route; or designed views (vistas) recorded in citations for historic parks and gardens/scheduled monuments etc. Local residents who have high quality views where they may have limited access to the wider countryside.1.47 Visual Sensitivity (see Table 3)

1.4.7 Visual Susceptibility

- 1.4.7.1 Visual Sensitivity is the degree to which the landscape can accommodate change without adverse impact on its composition and the ability to enjoy the view. It is determined by cross referencing Visual Value with Visual Susceptibility.

Table 3 Determining Visual Sensitivity						
Susceptibility	Value					
		Very Low	Low	Medium	High	Very High
	Low	Very Low	Low	Low	Medium	High
	Medium	Low	Low	Medium	High	High
	High	Medium	Medium	High	High	Very High

1.4.8 Magnitude of Visual change (see Table 4)

- 1.4.8.1 Magnitude of Visual Effect refers to the extent to which proposed development would alter the existing characteristics of a visual composition and the ability to enjoy the view. Judgements combine the size or scale of effect, the geographical extent and the duration and reversibility. Consideration is given to the loss, gain, deterioration or enhancement of existing landscape visual elements as well as the scale, materiality and design style, and the completeness of a view (open, enclosed, framed, partial, momentary, zoetropic etc), and the extent (see also the Zone of Theoretical Visibility) which includes the area impacted and the numbers and types of Visual Receptors.
- 1.4.8.2 Duration of Visual Effect is judged as follows.
- **Short term or reversible:** (effects have no influence and the visual baseline would be returned).
 - **Medium term or partially reversible:** (effects that would last until planting establishment is becomes effective (10 to 25 years)).
 - **Long term or not reversible:** (permanent effects).

Table 4 Determining Magnitude of Visual Impact	
Visual impact magnitude	Description
Major adverse visual impact or benefit	The proposals would cause a dominant or complete change to the composition of the view, the appreciation of the landscape character, the ability to take or enjoy the view
Moderate adverse visual impact or benefit	The proposals would cause a clearly noticeable change to the the view, which would affect the composition, the appreciation of the landscape character or the ability to take or enjoy the view
Slight adverse visual impact or benefit	The proposals would cause a perceptible change to the the view but which would not materially affect the composition, the appreciation of the landscape character or the ability to take or enjoy the view
Negligible adverse visual impact or benefit	The proposals would cause a barely perceptible change to the the view, but which would not affect the composition, the appreciation of the landscape character or the ability to take or enjoy the view
No change	The proposals would cause no change to the view
Neutral	There would be a change to the view but it is not possible to judge whether this change is an adverse or beneficial impact



1.4.9 Significance of Visual Effect (see Table 5)

1.4.9.1 The Significance of Visual Effect determines how important the changes might be for the View and the appreciation of the View, in terms of the requirements for mitigation and the long term residual effects. It is judged using Table 5.

Table 5 Determining Significance of Visual Effect

				Magnitude of Impact		
		Major Visual Impact (Adverse or Beneficial)	Moderate Visual Impact (Adverse or Beneficial)	Slight Visual Impact (Adverse or Beneficial)	Negligible Visual Impact (Adverse or Beneficial)	Neutral impact
	Very High	Major Visual Effect/ Significant	Major Visual Effect/Significant	Moderate/Visual Effect/Significant	Minor Visual Effect/Not Significant	Minor Visual Effect/ Not Significant
	High	Major Visual Effect/ Significant	Moderate/Visual Effect/Significant	Moderate/Visual Effect/Significant	Minor Visual Effect/ Not Significant	Negligible Visual Effect/Not Significant
Sensitivity of receptor	Medium	Moderate/Visual Effect/Significant	Moderate/Visual Effect/Significant	Minor Visual Effect/ Not Significant	Negligible Visual Effect/Not Significant	Negligible Visual Effect/Not Significant
	Low	Moderate/Visual Effect/Significant	Minor Visual Effect/Not Significant	Negligible Visual Effect/Not Significant	Negligible Visual Effect/Not Significant	Negligible Visual Effect/Not Significant
	Very Low	Minor Visual Effect/Not Significant	Negligible Visual Effect/ Not Significant	Negligible Visual Effect/Not Significant	Negligible Visual Effect/Not Significant	Negligible Visual Effect/Not Significant

Key to Table 5

Visual effect (VE)

- Negligible

The proposals would result in a change to the view that may be barely discernible and/or it would not be possible to make beneficial or adverse judgement irrespective of the Sensitivity. The effects are likely to be short term or reversible and/or they would be very small and lead to Not Significant judgement.
- Minor

The proposals would result in a change to the view that would be barely discernible to clearly noticeable and would be dependent upon the scale of judgement for Sensitivity. The effects may be short term or reversible and/or would be minimal and lead to Not Significant judgement.
- Moderate

The proposals would result in a change to the view that would be perceptible to clearly noticeable and would be dependent upon the scale of judgement for Sensitivity. The effects may be long term and irreversible and/or would be Significant in all cases.
- Major

The proposals would result in a change to the view that would be a dominant or complete change where the impact is Major and the Sensitivity is High. The effects would be Long Term, irreversible and Significant in all cases.

Significance

- Not Significant

Mitigation should be explored but the impact should be a consideration of only limited weight
- Significant

Every effort should be made to mitigate the impact and if residual impacts remain these should feature in the balance of considerations.

