

OBJECTION

on grounds of landscape impact

To an Application made by

SWALCLIFFE PARK EQUESTRIAN

and TAYLOR FARMS

To develop two sand schools with
parking, and change of use of land
from agricultural to equestrian

at

Grange Farm, Swalcliffe, Banbury,
Oxon OX15 5EY

CDC Ref 13/01128

On behalf of:

Mr and Mrs R Grimston

Mr and Mrs M Vandamme

Mr and Mrs P Boycott

22nd October 2013

**Portus +
Whitton**
landscape architects

1. Introduction

- 1.1. Portus and Whitton Landscape Architects have been appointed by the Objectors to assess the proposed Arena and Parking development and the potential impacts on its site and landscape setting, and to consider whether the Applicants' submitted Landscape and Visual Impact Assessment (LVIA) itself fairly and reasonably assesses the likely effects of these proposals.
- 1.2. This assessment takes the form of a critique of the Applicants' proposals and their LVIA. It should be noted at the outset that the Applicants' LVIA does not address the unauthorised equestrian use of adjoining land to the East which already impacts on the landscape. Since the Applicants also seek Change of Use consent for at least part of this land the Objectors naturally believe it should be considered together with and in the context of the Arena proposals. This Report therefore includes an assessment of this element of the Application.
- 1.3. This Report examines the following issues, and notes the instances where the Applicants' LVIA reaches different conclusions:
 1. The Existing Site – its designations, character and sensitivity
 2. The Proposals – both the arena development and the change of use to equestrian use of adjoining land
 3. The Landscape and Visual Impacts resulting from these
 4. Whether the impacts would be acceptable in respect of Local and National Planning Policies.
- 1.4. Finally this report considers the Anaerobic Digester development to the South (consented and currently under construction), which is visible in the same views as the equestrian Application and which, together with the existing and proposed equestrian uses, is likely to contribute to a cumulative impact on the surrounding landscape.
- 1.5. For ease of reference, the different parts of the Application Site are referred to as follows throughout this report, numbered as shown on Fig. 1:
 1. 28 Day Field
 2. Top Field
 3. Arena Field
 4. Bottom Field



Fig.1 Aerial Photograph showing the Application Site, and indicating the extent of equestrian activities both within and outside the Application Red Line.

2. The Existing Site (see also Figs 2, 3, 4 and 5)

- 2.1. The Site sits within a landscape that combines contrasting characteristics represented by the higher open landscape of the '28-day field' and 'Top Field', and the enclosed and intimate landscape of the 'Arena Field' and 'Bottom Field'. This attractively varied landscape is typical of the area, and is broadly consistent with the descriptions provided by the two published Landscape Assessments that cover the County and District; The Oxfordshire Wildlife and Landscape Study (OWLS), and the Cherwell District Landscape Assessment (CDLA).
- 2.2. OWLS categorises this landscape type as Rolling Village Pastures, which it describes as having a *strongly undulating landform of rounded hills and small valleys with small to medium-sized fields with mixed land uses, but predominantly pasture*. The CDLA has the site falling within the Ironstone Hills and Valleys Landscape Character Area and describes it as *an upland area forming the northern extent of the Cotswold Hills... having an extremely complex topography, with unique ironstone villages and tranquil countryside that is remote and isolated, particularly towards the west of the character area* – ie. the area that includes the Application Site.
- 2.3. The key qualities of the Site's landscape therefore stem from its very characteristic topography, complexity, variety, remoteness and tranquillity.
- 2.4. Topographically much of the 28-day Field and Top Field lies on a gently sloping plateau rising to a high point of 209 M AOD, which represents one of the highest points in the landscape for several miles. By contrast the Arena Field and Bottom Field occupy a deep combe falling towards a low point nearly 50 metres below the 28-Day Field. The combe sides drop some 24 metres across the northern end of the Arena Field – a substantial level difference in the context of what the Applicants propose here.
- 2.5. The vegetation cover of the area adds further character to the landform, the wooded and hedged setting of the combe contrasting with the exposed higher land with its open panoramic views. The presence of parkland-style tree clumps and scattered veteran oak trees also add to landscape quality. These features together with the Site's proximity to Swalcliffe House and its park, see **Figs. 6 & 7**, suggests that the Site was once part of a 'planned' landscape intended to form a wider picturesque setting to the park.
- 2.6. Although there are no footpaths traversing the Site it is bordered on two sides by quiet country lanes. These are much used by local walkers and are evidently a key component of routes that connect with the adjoining footpath network to the South and West. The relatively light level of vehicle traffic (pre equestrian intensification) has given these lanes and walks a sense of tranquillity. Furthermore for much of their length these lanes afford clear views into the wider Application Site area, a significant part of which (in particular the Arena and Bottom Field) retains an unspoilt pastoral character.
- 2.7. The value of the Application Site's landscape is acknowledged by Cherwell District Council which includes it in its 'Ironstone Downs Area of High Landscape Value', within which the Council seeks to conserve and enhance the environment. As stated by CDC Policy C13 "In



Fig.2 The Arena Field viewed from Grange Lane. This shows an attractive and largely unspoilt pastoral scene extending out into the far distance, with varied landform and a strong framework of woods and trees – all clearly visible from the lane. NB the picturesque quality added by the view of the church tower.



Fig.3 The Arena Field viewed from Park Lane near Grange Farm. Even with the flattening effect of the panoramic photo this still gives some idea of the attractively varied landform, with the combe running down to the right towards the village – all clearly visible from the lane.



Fig.4 The Arena Field viewed from Park Lane, approaching from the village. The field is visible through and over the hedge. The sense of wooded enclosure with framed views across the field is particularly attractive, as are glimpses of the combe dropping steeply down to the right



Fig.5 The Arena Field and Top Field viewed from the Gated Lane to the south of Grange Farm. Both fields are clearly visible rising up to the skyline. As with other views the shows a largely unspoilt scene combing varied landform with a good framework of mature native trees.

defining the boundaries of the areas of high landscape value due regard has been paid to the countryside commission document CCD18, which establishes criteria for designating such areas”. It is therefore a designation determined on the same methodology as used in the defining of Areas of Outstanding Natural Beauty.

- 2.8. The Applicants’ LVIA (paras 4.7 – 4.13) quotes the two published local Landscape Assessments at length but in the summary para 4.14 fails in our opinion to sufficiently draw out the key characteristics as they relate to the Application Site and proposals. This may be one of reasons why their LVIA (para 4.16) considers the Baseline Landscape Value and Sensitivity to be only Moderate, despite the designation as an Area of High Landscape Value. Para 4.16 makes no mention of the highly characteristic topography, complexity, variety and tranquillity of the site, and confuses the lack of uniqueness with ordinariness when in reality the Site represents the very essence of what justifies its inclusion within the AHLV. The relationship of the Site to Swalcliffe village is also played down in the LVIA in terms of accessibility for walkers, its unspoilt pastoral character, and views – eg. the very attractive views across the Arena Field towards the parish church tower, see **Fig 2**.
- 2.9. The Objectors believe that the Applicants’ LVIA para 5.1 stating that “Equestrian uses are established at Swalcliffe Grange Farm” should be clarified. Whilst the buildings and fields are clearly used for these activities, it is disputed that all of these are ‘established’ by having planning consent. This point is more fully addressed in the Objector’s Planning Statement.
- 2.10. In conclusion, the Applicant’s LVIA underestimates both the quality and value of the landscape. **Both the Baseline Landscape Value and Baseline Landscape Sensitivity should correctly be classed as High.**

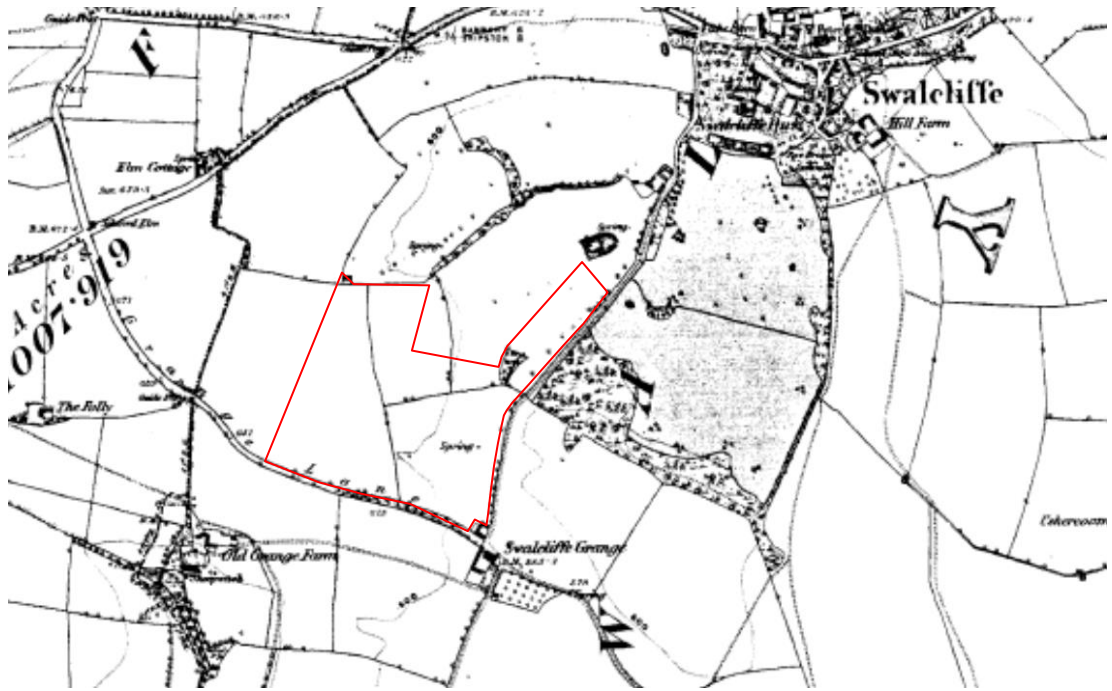


Fig.6 Ordnance Survey 1884-87 map showing Swalcliffe Park and its close relationship with the Application Site

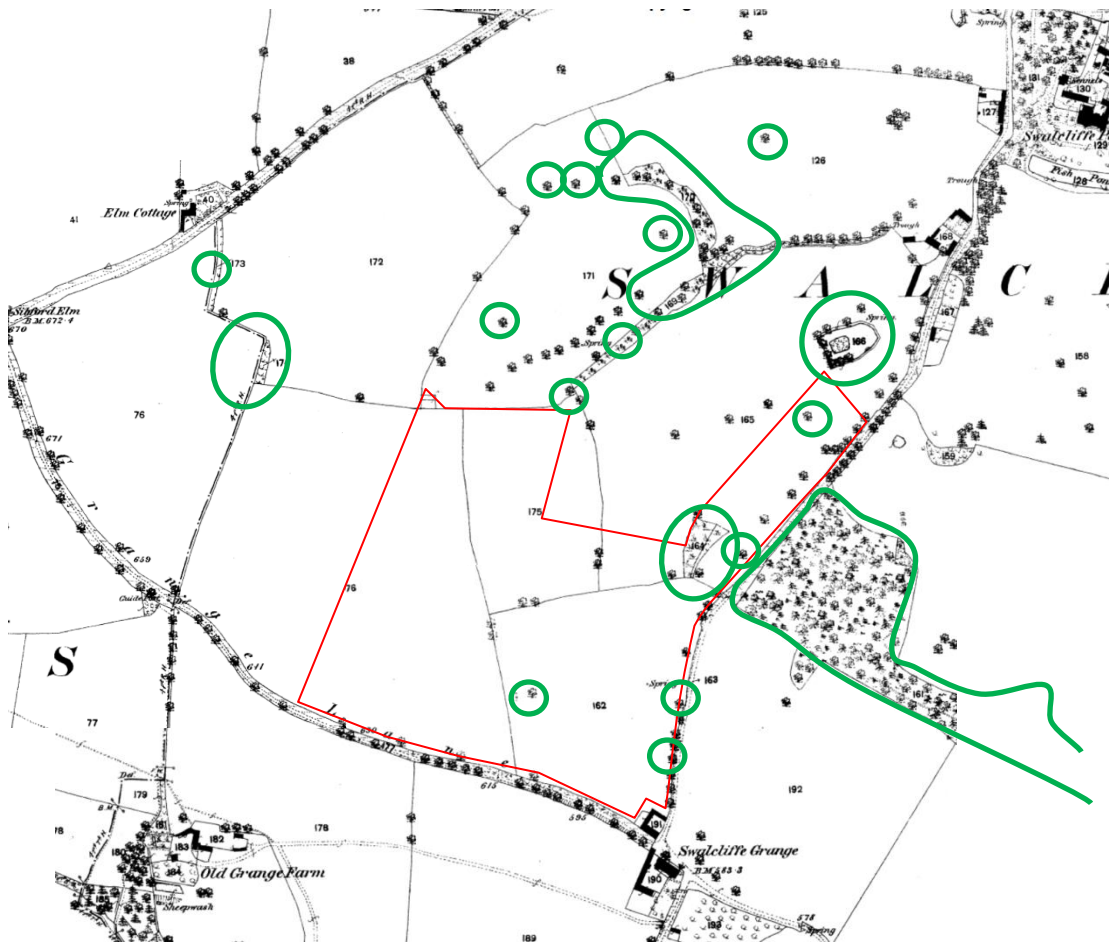


Fig.7 Ordnance Survey 1881 map showing specimen trees, clumps and linear plantations characteristic of 19th cent parkland, extending from the Park towards the Application Site. Surviving features are highlighted in green.

3. The Proposals

- 3.1. This Report breaks down the proposals into three parts:
- The 28-day Field, currently in Equestrian use, which in the Objectors' experience greatly exceeds the 28 day PD allowance but where no consent is currently sought.
 - The Top Field and Bottom Field, for which consent is sought for change of use.
 - The Arena Field, for which consent is sought for development and change of use.
- 3.2. The Applicants' LVIA fails to address the first two parts, despite the obvious landscape and visual impacts that they already have and which may increase.

The 28-Day, Top and Bottom Fields

- 3.3. The 28-Day, Top and Bottom Fields contain permanent jumps and fences, a permanent area of ground reinforcement at the entry off the Sibford to Swalcliffe road, and a widened entry through the roadside hedge. These are supplemented on Event days with additional fences, jumps, flags, dressage arenas, tents, portacabins, tannoy masts, judges stands (4-5m ht) and large numbers of parked horse boxes and other vehicles. Many boxes are substantial lorry-size vehicles and their numbers vary, but 200 to 250 trucks and cars can visit and park over a day's event and, in the experience of neighbours, this has been as much as 500-700 for certain events. It is estimated that even now the 28-day and Bottom Fields are in use in excess of 50 days a year, and this use is likely to increase if the proposals for the Top and Arena Fields go ahead.
- 3.4. **Fig. 8** illustrates a One Day Event that took place on the 29th September. This was taken at the end of the day after most competitors had left, but it still clearly indicates the extent of introduced non-agricultural elements required for a typical event. It should be noted that each event will require at least a part of a day before and a day after the competition for setting-up and dismantling, significantly extending their presence in the landscape.
- 3.5. The potential increase in traffic that an extension of the existing activities would bring, particularly traffic coming from the south and through Sibford village, would result in even



Fig.8 The Top Field photographed at the end of a one day event – even after most visitors and competitors and their transport have left the extent of both fixed and temporary installations is clearly evident.

greater harm to the road verges of Grange Lane and the Gated Road than is already evident. Although the proposed road improvements are limited to a new kerbed exit bellmouth onto Grange Lane other 'improvements' such as widening and kerbed road edges would become almost inevitable and would permanently change the character of these quiet rural lanes.

The Arena Field

- 3.6. The Arena Field would be subject to permanent development involving major construction and cut-and-fill works and is of an altogether more irreversible nature.
- 3.7. The Arena proposals are illustrated in **Fig. 9** which shows the Applicants' layout plan 160/32/A. As the Applicants have not provided any topographical survey information (a serious omission given the importance of the local topography) the Objector has superimposed this plan onto a Promap O.S. contour base to better inform the assessment process.
- 3.8. From this contour plan the Main Arena can be seen to extend across steeply sloping land between Contours 185.5 and 173.5 – an estimated difference in level of 12.5 metres. The Warm-up Arena extends across Contours 185.5 and 180.0 – an estimated difference of 5.5 metres. This means that the Main Arena would sit on a raised platform some 3-6 metres above the adjacent section of Park Lane, with the Warm-up Arena a further 3 metres above that. Fences and jumps around and within these arenas would add another 1.5 to 2 metres of height. Along the eastern edge of the Main Arena the drop to the combe bottom could be as much as 6 metres. The North-West corner of the Main Arena would be cut deeply into the combe side creating a steep 5.5 metre high bank. At its South-East corner the Main Arena floor would be 3 metres above the Lane and separated from it by a distance of only 17-18 metres, much of which would be taken up with banking. A veteran oak tree of at least Category A value lies within 12 metres. A tree of this size could be expected to have a Root Protection Area of between 12 and 15 metres radius, greatly exceeding the space available.
- 3.9. The cut and filled embankments around the arenas are designed with 1:2 gradients giving a highly artificial straight-edged engineered appearance, in strong contrast to the existing natural topography with its serpentine contours and gradients between 1:35 and 1:7.
- 3.10. The angular configuration of tracks and roadways is similarly at variance with existing contours, bearing little relationship to landform and at one point involving a ramped section of about 1:10 gradient.
- 3.11. In terms of scale and amount, it is calculated from the submitted plans that:
 - The area of hard and artificial surfacing (arenas, parking areas and roadways) amounts to some 12,300 sq.m, or about 3 acres.
 - The length of new 1.5 m high post-and-rail fencing amounts to some 650 metres.
- 3.12. Clearly the proposals would involve substantial engineering works, with large amounts of excavated spoil to be moved or disposed of, and large volumes of imported materials such as the stone to construct the roads and parking, and the sand-based surfacing for the

arenas. With this in mind the Applicants' claim in their para 5.10 that the proposed development is "...of relatively modest proportions" is unsupportable.

- 3.13. The Applicants' mitigation proposals (Section 6 of their LVIA and appended Planting Plan) include the planting of hedgerows and tree screen belts. Whilst in many circumstances this would be positive, most of the hedges and tree belts proposed here would obscure what are at present attractive views from the two lanes (eg. towards parish church from Grange Lane) and would thus result in the loss of existing amenity and visual assets. The proposed straight-edged tree belts are particularly out of keeping in this landscape. Such planting in this situation can only be regarded as an attempt to hide the proposals – and this is confirmed in para 6.5. It is a generally accepted maxim that if a development needs to be hidden it should not be there in the first place.
- 3.14. Whilst the Applicants' LVIA and supporting documents generally provide enough detail to enable a professional consultant to draw out and interpret the above information, in the Objectors' view the descriptions, plans and sections play down the true scale of the proposed change to the Site. Of particular concern is the Applicants' failure to have provided a full levels survey and to graphically relate this to the proposed layout in such a way that both the Council and the public could more readily compare what exists with what is proposed.
- 3.15. Whilst the accuracy of the submitted Cross-sections, dwgs 160/34 and 160/35, is not disputed, their failure to relate the arenas to their wider context (field boundaries, roads, trees) should be noted. Although this is to some extent covered by additional Cross-Sections attached to the LVIA these are inconsistent in their gradients and levels shown and, in the Objectors' opinion, do not give a true and fair representation of the sight-lines from surrounding vantage points.
- 3.16. The Objectors take strong exception to the Applicants' claim in LVIA para 7.2 that "the 'loss' of part of the site to the construction of the arenas would however be reversible". As made clear above, this proposal would involve major and expensive engineering works which could not realistically be considered reversible.



Fig.9 showing Arena proposals Plan, overmarked with Promap contours to allow comparison of existing and proposed conditions.

4. Landscape and Visual Impacts

Baseline values

- 4.1. As already explained (our para 2.8 above) the Applicants' assessment is undermined at the outset by implausibly giving only **Moderate** values to the Baseline Landscape Structure, Value and Sensitivity (their LVIA paras 4.16 & 5.1). Whilst it accepted that inclusion within an Area of High Landscape Value does not automatically bestow a high landscape value on all parts of it, recognition has barely been given by the Applicants of the Site's designation and of its obvious qualities.
- 4.2. With reference to advice contained within the *Guidance for Landscape and Visual Impact Assessment, third edition*, the Objectors' case is that these baseline values should all be judged as being **High**, using the following analysis criteria:
- **Landscape Quality and Representativeness:** The baseline landscape is representative of the AHLV landscape, and whilst some hedgerows are missing its characteristic features remain largely intact and in good condition.
 - **Scenic Quality and Perceptual Aspects:** It has visual appeal due to its variety of topography, vegetation cover, land-use and views, and it has additional appeal due to its relative tranquillity and sense of remoteness. In areas it has value for its sense of intimacy and enclosure, and in other areas it provides excellent middle and long-distance views across unspoilt countryside.
 - **Conservation interests:** Whilst not important enough to be Registered, the adjacent park to Swalcliffe House and the traces of wider parkland features within and around the Application Site is likely to be of local historic value.
 - **Recreation Value:** The lanes and footpaths around the site that link with Swalcliffe village benefit from the range of experiences and views describe above, and provide a valuable amenity and recreation asset.

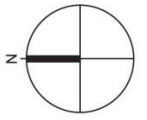
Visual Envelope

- 4.3. The extent of intervisibility with the surrounding landscape of the Arena Field illustrated on the Applicants' LVIA Plan 4 is not disputed. However it only deals with the Arena Field and does not take account of the whole Application Site. **Fig. 10** takes Plan 4 and modifies the Visual Envelope (VE) to include an estimate of land area with views of the larger Application Site.
- 4.4. This only claims to be an estimated VE area, and has therefore erred on the cautious side. What cannot be in doubt though is the substantial increase in VE, and the additional potential public vantage points from which views of the 28-Day and Top Fields are visible.

Land at Swalcliffe Grange, Banbury

Plan No 4: Visual Assessment

- Key
- Assessment Site Boundary
 - Approximate Visual Envelope
 - X Photograph Location Point
 - X Potential Visual Receptors
 - X Photograph Location Point / Potential Visual Receptor



SCALE 1:12,500 @ A3

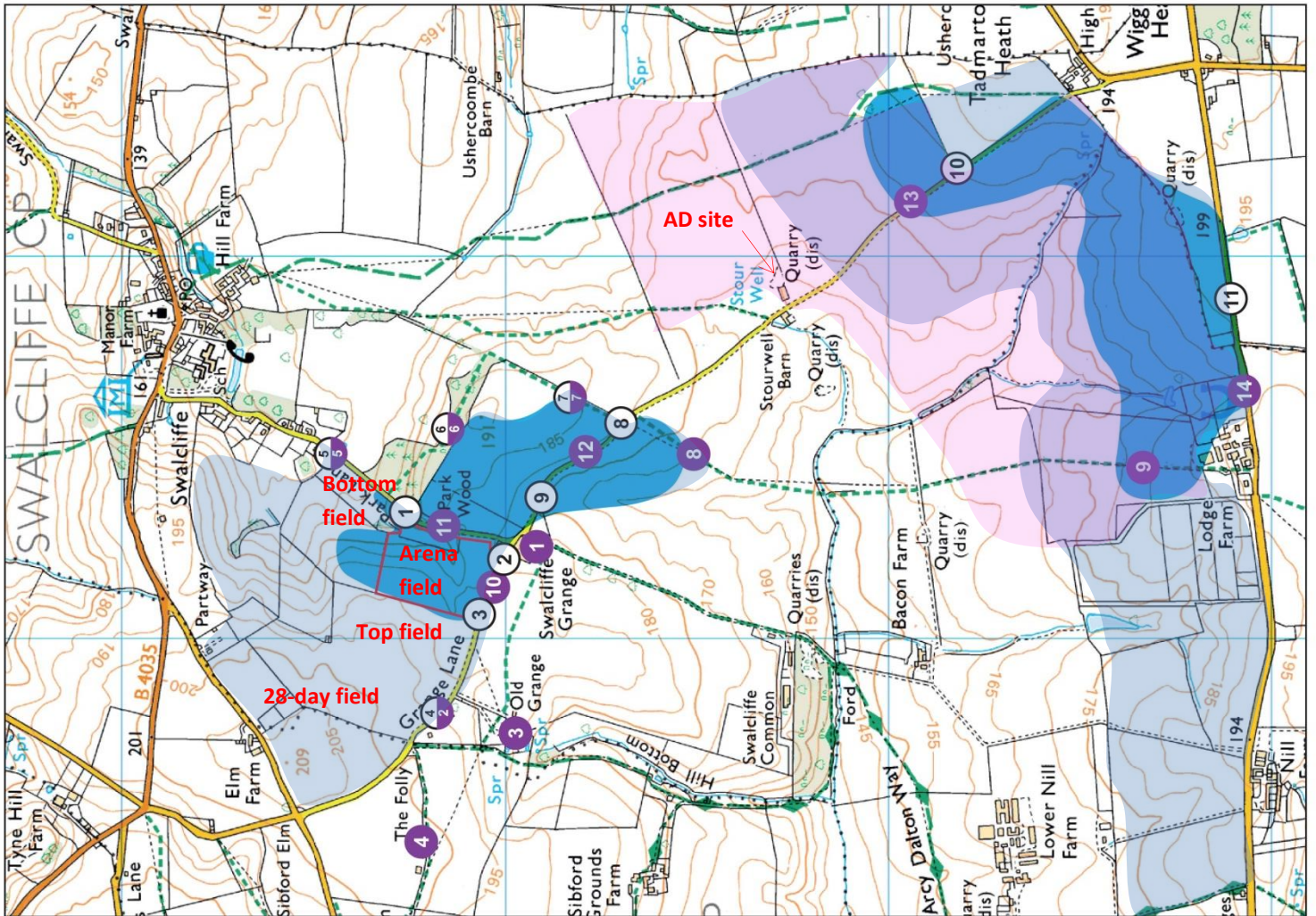


Fig 10 showing Applicants' Visual Envelope Plan, overmarked in faded blue with enlarged Visual Envelope for the Top and 28-Day Fields. The pink area indicates an estimated VE for the Stourwell Barn Anaerobic Digester (labelled AD site).

Potential Visual Receptors

- 4.5. The Applicants' LVIA para 5.6 states that the main views of the Arena Field most likely to be sensitive to development are from Grange Lane and Park Lane. This is accepted. However views from the South – represented by their Photo-Locations 10 and 11- would be possible, particularly on event days when the Arena Field is full of activity and parked vehicles. Even at a distance of some 2 kilometres the 28-Day and Top Fields on the higher crest of land are also clearly visible from the extended Visual Envelope which includes vantage points along about 1.5 km of public footpaths and bridleways, plus a similar length of public highway - all of which enjoy high-quality panoramic views across the AHLV.
- 4.6. **Figs 11 and 12** show clear view from the Bloxham road near Lodge Farm (Fig 12) and from the Gated Road on the edge of Tadmarton Heath (Fig 13), both taken at the end of the 29th September ODE Event. Even after most of the horse boxes have left, the Site and the activity on it still stand out in the wider view as development that is out of keeping with the surrounding landscape character.



Figs 11 & 12 showing the prominent location and clear visibility – even at distances of between 1.5 and 2.5 kilometres – of activity on the Top and 28-Day Fields.

Effects upon Landscape Character

- 4.7. The Applicants' LVIA para 5.7 asserts that the Arena proposals would "entail *minor* (my italics) changes to the character of site from an agricultural field...". Para 5.8 goes on to claim that the "development has the potential to have a positive effect on landscape character..." and that "The overall magnitude of landscape change would be low..." with a resulting impact "...low neutral / beneficial... and reversible".
- 4.8. In the light, firstly, of the High baseline values and, secondly, of the scale and extent of the proposed engineering work described in our Section 3 it is clear that this is a serious underestimate of the potential magnitude of change and degree of impact. When the frequent day-to day and Event activities, parking and increased traffic are added to the equation it is the Objectors' case that the magnitude of change, and the harmful effect on Landscape Character would both be **High**, and not realistically reversible.
- 4.9. The proposed mitigation proposals do not make any material change to this assessment. Indeed the loss of attractive views that they would cause would actually increase the harm to landscape character.
- 4.10. Similarly the harmful effect on landscape character of the 28-Day, Top and Bottom Field activities and associated non-agricultural structures and installations would, whilst more likely to be reversible, be **Moderate** in isolation and **High** when considered as part of the whole package of proposed development, activities and traffic generation.

Visual Effects

- 4.11. The Applicants' para 5.10 claiming that the proposed development is "...of relatively modest proportions" has already been addressed. The assertion in para 5.11 that there would be no visual effects on residential properties does not of course take account of the activities on the 28-Day, Top and Bottom Fields which have visual Impact on the residential amenities of Partway, Elm Farm to the north, Swalcliffe House (Grange Lane) and Wykham (Park Lane on edge of village). This is in addition to noise and traffic disturbance already suffered and which are subjects covered elsewhere by other specialists.
- 4.12. The visual impact of the Arena and parking development on Park Lane and Grange Lane would affect some 425 metres of public highway with open or permeable boundaries to the Site. To this should be added a further 380 metres of Grange Lane alongside the Top Field, totalling just over 600 metres – equivalent to about 7 or 8 minutes of walking time. The impact on walkers and other road users would be direct and immediate as the development and activities would occupy the foreground and middle-distance, and should be judged as **High**.
- 4.13. The combined visual impact of the Arena and other development on more distant views to the South should be judged as **Moderate** due both to the distance and because the receptor is more likely to be in a vehicle than to be a walker, and thus of slightly reduced sensitivity.

- 4.14. For the same reasons as given above (4.9) the mitigation proposals would not reduce the degree of visual impact even if they reduce potential visibility. Indeed from the Grange Lane and Park Lane vantage points they would actually increase the harm to views.

Additional impact resulting from Stourwell Barn Anaerobic Digester

- 4.15. This development, CDC ref. 12/01588/F, was granted consent on the 7th March 2013, and is currently under construction. The major part of the development comprises two large tanks each of 28.4 metres diameter by 12.1 metres height plus a third tank 8.2 metres high. In terms of appearance and character it would have an unambiguously industrial character in this open farmland setting within the Ironstone Downs AHLV. Although this complex is set below existing levels and will be partly screen-planted with woodland, the surrounding countryside is generally of higher elevation, affording clear views of the tanks from roads and footpaths to the south and east. It is likely to be many years before these become fully screened.
- 4.16. Many of these views are from the same paths and roads from which the Swalcliffe Park Equestrian site is also visible, in fact as indicated on **Fig 10** the two developments would be visible together across quite a wide area of shared Visual Envelope.
- 4.17. In isolation and with the benefit of effective woodland planting the anaerobic digester development would eventually assimilate into the landscape. However in the Objectors' judgement the cumulative impacts on views and landscape character resulting from both the digester and equestrian developments would harm the existing tranquil and relatively unspoilt agricultural character of this part of the AHLV to an unacceptable and irreversible degree, and that the equestrian proposals should not be permitted in such circumstances.

5. Planning Policy

Local Plan saved policies

5.1. The proposals are assessed against the following relevant policies:

- 5.2. **AG5** *Development Involving Horses: Proposals for horse related development will normally be Permitted provided:*
(i) the proposal would not have an adverse effect on the Character and appearance of the countryside;
(ii) the proposal would not be detrimental to the Amenity of neighbouring properties;

The proposals conflict with parts (i) and (ii)

- 5.3. **C7** *Landscape Conservation: Development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape.*

The proposals conflict with this policy which requires that the countryside be protected for its own sake.

- 5.4. **C13** *Areas of High Landscape Value: within which the council will seek to conserve and enhance the environment. As with development within the A.O.N.B., careful control of the scale and type of development will be required to protect the character of the areas of high landscape value, and particular attention will need to be paid to siting and design.... In defining the boundaries of the areas of high landscape value due regard has been paid to the countryside commission document CCD18, which establishes criteria for designating such areas.*

The proposals neither conserve nor enhance the environment and therefore conflict with this policy.

- 5.5. **C14** *Trees and Landscaping: In exercising its development control functions the council will normally accept opportunities for countryside management projects where*
(i) all important trees, woodland and hedgerows are retained, and
(iii) new tree and hedgerow planting using species native to the area is provided.

At least one Category A veteran oak tree would be lost. Although native species planting is proposed this would be in a form that would detract from existing views. The proposals therefore conflict with this policy.

The Framework

- 5.6. The proposals conflict with para 109 of The Framework which requires that *the planning system should seek to protect and enhance valued landscapes.*

6. Conclusion

- 6.1. The Applicants' LVIA concludes: "The proposed development would have no adverse effect upon the character and appearance of the area or affect adversely any important views within the area. In association with the proposed development the incorporation of a range of modest (but wholly typical) landscape measures would reinforce and maintain local landscape character".
- 6.2. **This Objectors' report finds to the contrary. It is evident that the parameters upon which the Applicants' conclusion is based are seriously flawed; firstly by understating the value of the existing landscape, and secondly by failing to take proper account of the actual scale and extent of the proposed development, their unsuitability for the site, and the substantial intensification of equestrian activities and traffic that it would bring. No assessment is made of the proposed and existing equestrian use of the rest of the Application Site or of the 28-Day Field which together as a package with the Arena proposals add up to causing unacceptable adverse impact on the character and views of this part of the Ironstone Downs Area of High Landscape Value.**

APPENDICES

MISCELLANEOUS PHOTOGRAPHS OF RECENT EQUESTRIAN EVENTS AT THE SITE



