

**TOWN & COUNTRY PLANNING ACT 1990  
SECTION 78 APPEAL**

**APPEAL BY GREAT LAKES UK LTD  
REF: APP/C3105/W/20/3259189**

**LAND TO THE EAST OF M40 AND SOUTH OF A4095,  
CHESTERTON, BICESTER, OXFORDSHIRE OX26 1TE**

**LANDSCAPE PROOF OF EVIDENCE  
OF RICHARD WADDELL BA (Hons), PG Dip. LA, CMLI**

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## 1. INTRODUCTION

### 1.1 Qualifications and Experience

1.1.1 My name is Richard Waddell, I am a Senior Associate at Bradley Murphy Design Limited (BMD) of Hatton Technology Park, Hatton, Warwickshire CV35 8XB, a practice of landscape architects, urban designers and master planners.

1.1.2 I am a Chartered Member of the Landscape Institute (CMLI) with 16 years' experience as a practising landscape architect. I hold a Bachelor of Arts (Honours) degree and a Post Graduate Diploma in Landscape Architecture from Birmingham City University. I have both undertaken and peer reviewed Landscape and Visual Impact Assessments (LVIA) for a wide range of schemes including residential, commercial, mixed use, retail, renewable energy and national infrastructure.

1.1.3 I have experience in providing landscape-led input to the master planning (along with landscape detailing and overseeing implementation) for a range of residential, mixed use and commercial developments across the country. At BMD, we work collaboratively with our clients and the respective design teams to deliver sustainable and economically viable solutions that both respect and seek to enhance their landscape, townscape and visual context, based on a detailed understanding of the environment on and surrounding each proposed development site.

1.1.4 BMD was appointed by Great Lakes UK Ltd in January 2019 to carry out landscape design services for the proposed development of the Appeal Site (the 'Site'), along with the execution of an LVIA, for including in Chapter 13 of the Environmental Statement (ES) (CD1-13).

1.1.5 I confirm that the opinions expressed in my evidence are my true and complete professional opinions irrespective of by whom I am instructed.

1.1.6 The structure of the proof is as follows:

- Section 2 provides a summary of the landscape and visual context, including the landscape resource of the Site, existing landscape character, visual amenity and landscape related designations identified by the LVIA.

- Section 3 provides a summary of the landscape-led approach to the masterplan, scale, and mass of the scheme and design development of the landscape proposals.
- Section 4 provides a summary of the LVIA findings in terms of likely effects of the Proposed Development.
- Section 5 provides a response to the Reasons for Refusal with regard to landscape and visual amenity.
- Section 6 provides a response to the Cherwell District Council (CDC) Statement of Case with regard to landscape and visual amenity.
- Section 7 provides a response to the Parishes Against Wolf (PAW) Statement of Case with regard to landscape and visual amenity.
- Section 8 provides a summary and conclusion.

## **1.2 Scope and Nature of Evidence**

1.2.1 The decision to refuse consent for the proposed development was appealed by the applicant in October 2020.

1.2.2 My proof of evidence and its associated appendices present:

- a summary of the LVIA baseline of the Site and relevant surrounding context;
- a precis of the proposed masterplan, green infrastructure and open space;
- the landscape and visual effects anticipated as a result of the proposed development.

1.2.3 I demonstrate that:

- the proposals have been developed as part of a landscape-led approach with careful regard to the landscape and visual context of the Site and surrounding area;
- the landscape and visual amenity context of the Site has the capacity to accommodate the Proposed Development;
- the Proposed Development would not cause significant adverse effects upon the identified landscape character receptors or that of the landscape setting to the nearby villages of Chesterton or Little Chesterton;

- the Proposed Development would appreciably enhance the landscape resource of the Site;
- the only adverse effects on the visual amenity of identified visual receptors are limited to views in close proximity to the Site, which would be substantially mitigated in the long term;
- the proposed development would be barely perceptible in near to middle distance views.

1.2.4 Aspects of architectural design and detailing, drainage / flood risk, highways and transport, biodiversity, golf provision and planning are addressed in the evidence of the following:

- Planning : Chris Goddard, DP9
- Highways & Transport : Philip Bell, Motion
- Architecture & Design : Nick Rayner, EPR
- Drainage & Flood Risk : Richard Bettridge, Motion
- Biodiversity : James Patmore, BMD
- Golf : John Ashworth of John Ashworth Associates including the Appendix of Howard Swan, Swan Golf Designs

### **1.3 Design, Consultation & Assessment**

1.3.1 Alongside and to inform the landscape design input to the Proposed Development, BMD carried out a comprehensive LVIA to:

- understand the landscape and visual context, identify all landscape assets and their value and to inform a landscape-led approach to the design of the project;
- inform the master planning, scale, massing and architectural design of the proposed development as part of the iterative design process;
- report on an assessment of the likely effects of the proposals on landscape character and views.

1.3.2 To inform the LVIA and the design of the scheme, CDC's Landscape Team was consulted, both as part of the EIA Scoping process and in extensive Pre-Application discussions. They provided:

- guidance and agreement on the location of viewpoints to be used as a basis of the LVIA;
- guidance and agreement on the location for Accurate Visual Representations (wirelines, photomontages and illustrations) used to inform the development of the design;
- design input to enhance the appearance of the massing, scale and detailing of built form;
- input to the strategy and detailing of landscape proposals for the scheme.

1.3.3 The CDC Committee Report (CD3-3) states at paragraphs 9.92 & 9.134 respectively:

*“9.92 The Council’s Landscape Officer confirms that the submitted LVIA is a comprehensive and competently written document that complies with the relevant guidelines for such documents and assessments. The Landscape Officer states that the site has a low landscape sensitivity to change, and a visual effect ranging from neutral to moderate adverse at year 0. On this basis there is no objection from the Landscape Officer relating to the impact of the development on the wider landscape character.”*

*“9.134 In conclusion, the landscaping proposals are largely satisfactory. Additional planting to the existing boundaries strengthens the existing screening and provides an additional buffer visually to the development as a whole. The addition of coniferous trees to the southern boundary is welcome to provide stronger winter screening for the benefit of the existing residential properties there. Overall, there is no objection based upon the landscaping proposals.”*

1.3.4 The above concurs with the judgements reported in the LVIA submitted alongside the application for the Proposed Development.

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## **2. LANDSCAPE & VISUAL CONTEXT**

### **2.1 LVIA Methodology**

2.1.1 To inform the iterative design process and provide an assessment of the likely effects of the Proposed Development, an LVIA was carried out as part of the Environmental Impact Assessment (EIA) process and reported in Chapter 13 of the ES (CD1-13) submitted alongside the planning application for the Proposed Development.

2.1.2 The LVIA was carried out in accordance with the following current guidelines:

- Guidelines for Landscape & Visual Impact Assessment, Third Edition (2013) (GLVIA3), published by the Landscape Institute and the Institute of Environmental Management & Assessment.
- GLVIA3 Statement of Clarification 1/13 (2013), published by the Landscape Institute.
- Approach to Landscape Character Assessment (2014), published by Natural England.
- Technical Guidance Note 06/19, Visual Representation of Development Proposals (2019), published by the Landscape Institute.

2.1.3 A detailed methodology for the LVIA is included in ES Appendix 13.1 (CD1-13).

2.1.4 In the early stages of the LVIA, preliminary desktop studies and site surveys pulled together information on the context of the existing landscape within and surrounding the Site, along with the extent of views toward the Site and Proposed Development (as illustrated on the Figures included in Appendix 13.1 of the ES (CD1-13)).

2.1.5 Assessments were also carried out (by others) of:

- any heritage features in the area such as Listed Buildings, Conservation Areas and Scheduled Monuments - as reported in Chapter 10 Archaeology and Cultural Heritage of the ES (CD1-13);

- the arboricultural resource of the Site – as reported in the Arboricultural Impact Assessment (CD1-3);
- the ecological resource of the Site - as reported in ES Chapter 9 Biodiversity (CD1-13).

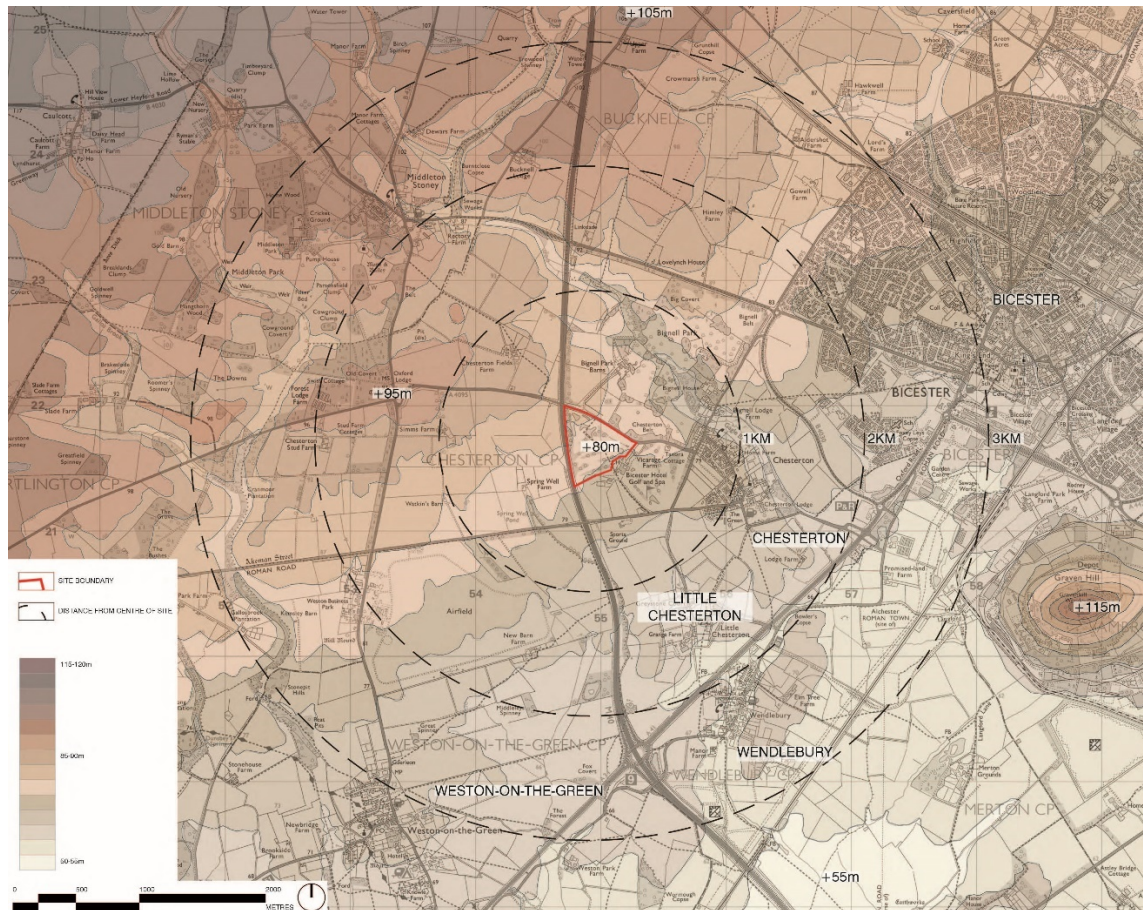
These features were considered as part of the landscape desk studies in order to understand the context and value of the landscape character, landscape features and views associated with the Site.

## **2.2 Landscape Resource of the Site**

2.2.1 The Site is characterised by the man-made landscape of an existing golf course and is not covered by any landscape related designations.

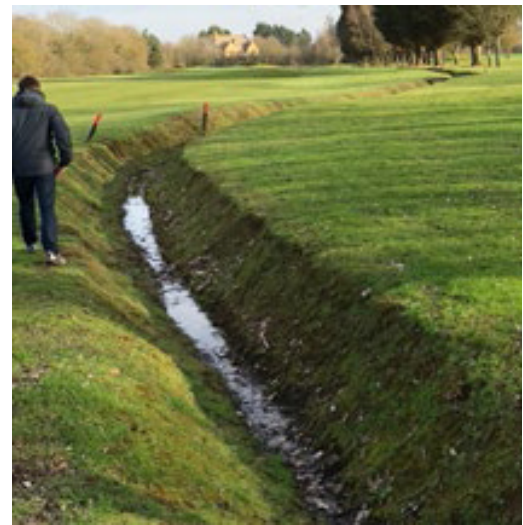
2.2.2 The general topography of the Site and study area are illustrated on LVIA Figure 13.4 Topography (CD1-13), see extract below. The Site generally falls over a gentle gradient from the north-west to the south-east, generating a change in level of approximately 7 metres. The majority of the Site lies between c. 80 – 85 metres AOD (Above Ordnance Datum) but is strongly characterised by the many engineered undulations of the golf course (elevated greens, tee boxes and elevated / sunken bunkers). This topography is set within the wider context (beyond the Site boundaries) of a transition between broadly undulating but gently rising valley slopes to the north-west and a relatively level and flat landscape to the south-east. As a result of this relatively flat / gently rising topography, the Site is not located in an elevated position on the horizon or overlooked from any nearby elevated positions.





**Extract of Figure 13.4 Topography from LVIA**

- 2.2.3 There are a number of ponds on the Site, most of which are located in a cluster to the northern part of the Site and appear to have been engineered as part of the golf course design. These ponds are surrounded by marginal and emergent vegetation, or have shallow grassed banks with occasional trees, and were considered a good opportunity for contributing to a ‘water’ based concept for the landscape design (working with the water-based theme of the proposed resort), whilst enhancing and maximising their ecological and amenity value.
- 2.2.4 A narrow and shallow ditch runs south-east from a woodland in the centre of the Site toward the Hotel and Spa, roughly parallel to the A4095. A dry ditch also crosses the central part of the Site. These features were not considered to be of any real value to the character of the landscape.



**Some of the existing ponds and one of the ditches on the Site**

2.2.5 Vegetation on the Site largely comprises heavily managed amenity grassland on fairways, greens and tees, with rough grassland and scattered trees between the fairways.

2.2.6 The north-east boundary with the A4095 largely comprises a line of mature scrub of varying width, with scattered trees, broadening along the embankment of the A4095 as it approaches the M40 overbridge. A maturing Leyland cypress hedge runs inside but parallel with the northern half of the M40 boundary, with larger scale and more dense areas of vegetation in the form of woodland blocks along the southern half of the boundary with the M40. There is also a large woodland / plantation in the northern part of the central area of the Site. The south-east boundary comprises

a mature hedge with trees. It is noted that a proportion of the trees on the Site are coniferous species, which contribute to maintaining a vegetative canopy throughout the winter months.

2.2.7 This resource was considered to form a strong basis on which to develop the green infrastructure strategy for the Proposed Development, retaining and enhancing the existing sense of enclosure to the Site and enabling one to contribute and enhance an immediate sense of maturity in the landscape on completion of the development.

2.2.8 It was also noted that the arboricultural survey (reported in the Arboricultural Impact Assessment (CD1-3)) identified that, of the 220 features surveyed, 205 features were of low or very low quality.



**Crop of LVIA Viewpoint 3 illustrating extent of amenity grassland on managed fairways**



**Crop of LVIA Viewpoint 1a (taken in December 2020) of vegetation along boundary with A4095**



**Photograph of young established Leyland Cypress hedge along boundary with M40**



**Woodland along west boundary with M40 and plantation on Site**

2.2.9 Public access to the Site is constrained to a single public footpath (coded as 161/6/10 by Oxfordshire County Council), the alignment of which crosses 6 holes of the golf course, with safety likely to be a concern for footpath users when passing through. A more detailed description of the experience along this route, along with the extent of current use, is provided under the heading of Visual Amenity at Section 2.5 below. There is an opportunity for this public footpath to be integrated within a far more suitably designed route, enhancing the amenity value for users.



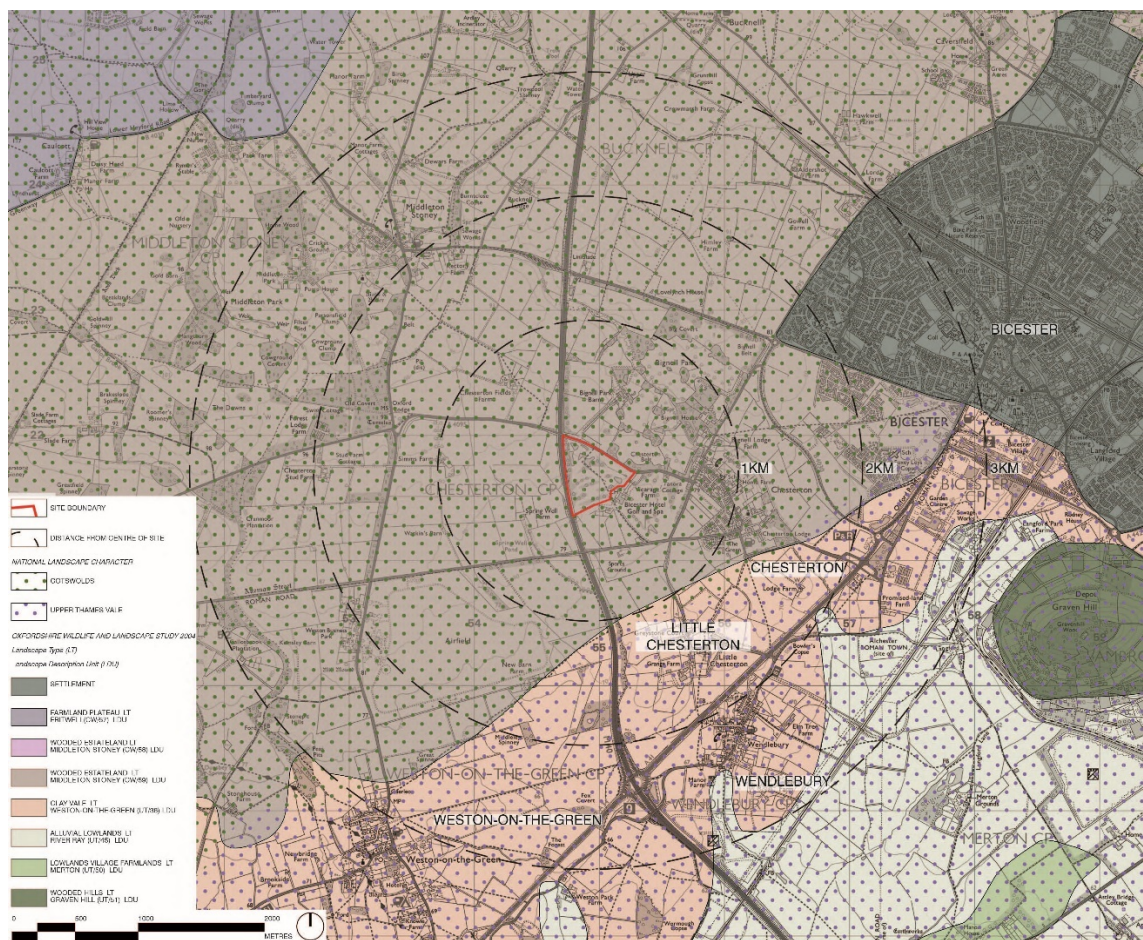
**Aerial photograph of the Site, with alignment of public footpath 161/6/10**

2.2.10 In summary, as reported in the LVIA, dense boundary vegetation encloses the Site, providing a strong physical barrier and substantial containment of the Site. Any change in the physical landscape resources of the Site will mainly impact on the character of the Site and its immediate context, rather than the wider area. In this respect, there are excellent opportunities for integrating

existing features of value into the green infrastructure strategy of the Proposed Development and enhancing the landscape overall.

## 2.3 Landscape Character

2.3.1 To understand the landscape character in the surrounding area, published landscape character assessments from national to local level were reviewed, these are illustrated on ES Figure 13.3, extracted below.



Extract of Figure 13.3 Landscape Character Areas from LVIA

### **National Character Areas (NCA)**

2.3.2 As illustrated on ES Figure 13.3 (extract included above) (CD1-13), the Site lies within 1 kilometre of the edge of the Cotswolds NCA 107, that stretches from the Dorset coast to Lincolnshire. Given the scale of this character area and the extent of enclosure afforded to the Site and surrounding

landscape (as outlined further below), any influence on the Cotswolds NCA is only considered to be likely to areas in close proximity of the Site, with negligible effects on the NCA as a whole.

### ***County Landscape Character***

2.3.3 Oxfordshire County Council produced the Oxfordshire Wildlife and Landscape Study in 2004 (OWLS), which addresses landscape character and biodiversity across the county. It refers to the seven NCAs that fall within the county and identifies twenty four Landscape Types (LT) that reflect a similar pattern of geology, topography, land use and settlement.

2.3.4 At the county level, the Site lies within the Wooded Estatelands LT. This covers a large strip of landscape from the eastern end of the Cotswolds to the north of Bicester, representing a wooded estate landscape characterised by arable farming and small villages with a strong vernacular character. The key characteristics of the Wooded Estatelands LT and its likely influence include:

- Large blocks of ancient woodland and mixed plantations of variable sizes
- Large parklands and mansion houses
- A regularly-shaped field pattern dominated by arable fields
- Small villages with strong vernacular character

2.3.5 OWLS also recognises some factors resulting in change to the landscape which include visually intrusive large-scale barn complexes, visually intrusive large-scale business parks and large visually prominent airfields. Noting that there are other visually intrusive features elsewhere in the landscape, a sensitive approach has been taken to the layout and design of the Proposed Development in order to avoid contributing further to the extent of landscape or visual intrusion, and making use of the existing landscape features identified above in order to minimise the effect of the proposals.

2.3.6 In terms of landscape strategy, the primary objective stated by OWLS is to safeguard and enhance the characteristic landscape of parklands, estates, woodlands, hedgerows and unspoilt

villages. In order to achieve this, OWLS provides related guidelines and the following points are considered of relevance to the Site and the Proposed Development:

- Promote environmentally sensitive maintenance of hedgerows, including coppicing and layering when necessary, to maintain a height and width appropriate to the landscape type.
- Conserve and sympathetically maintain species-rich hedgerows and, where appropriate, replant gappy hedges using species such as hawthorn, blackthorn, wayfaring tree, dogwood and spindle.
- Minimise the visual impact of intrusive land uses with judicious planting of tree and shrub species characteristic of the area.
- Promote the use of building material that is appropriate to this landscape type.

2.3.7 These guidelines were used to inform the landscape-led approach to the design of the Proposed Development, with EPR developing the architectural language of the scheme to respond positively to that of the local context where there is potential for glimpses of the built form.

#### ***Local Landscape Character***

2.3.8 At a finer grain, two hundred and forty Landscape Description Units (LDU) are recorded in OWLS to represent the subtle variations within each of the National / Regional Character Areas. The Site lies within CW/59 Middleton Stoney, for which OWLS describes the landscape character as:

*“The area is dominated by large arable fields and localised improved grassland. There are smaller grass fields around villages, particularly Kirtlington. Woodland is a strong landscape element, and large woodland blocks are associated with the parklands and estates. It is mainly ancient semi-natural woodland, with species such as ash, oak, hazel, and field maple, as well as mixed plantations. Throughout the landscape, there are belts of young mixed and coniferous plantations next to roadside hedges and they often function as field boundaries. Hedgerow trees such as ash, sycamore and occasionally oak are found in some roadside hedges, but they are sparser to the*



*north where there is more intensive arable cropping. In parts there are dense corridors of willow and ash, belts of semi-natural woodland and poplar plantations bordering watercourses. Hedgerows vary from tall, thick species-rich hedges with shrubs such as wayfaring tree, dogwood, hazel, field maple, spindle and wild privet through to low, gappy internal field hedges. Parklands are a prominent feature throughout and they include Middleton Parks in the north and Kirtlington Parks in the south.*

2.3.9 Some of the key elements noted above are evident in the landscape context surrounding the Site, including:

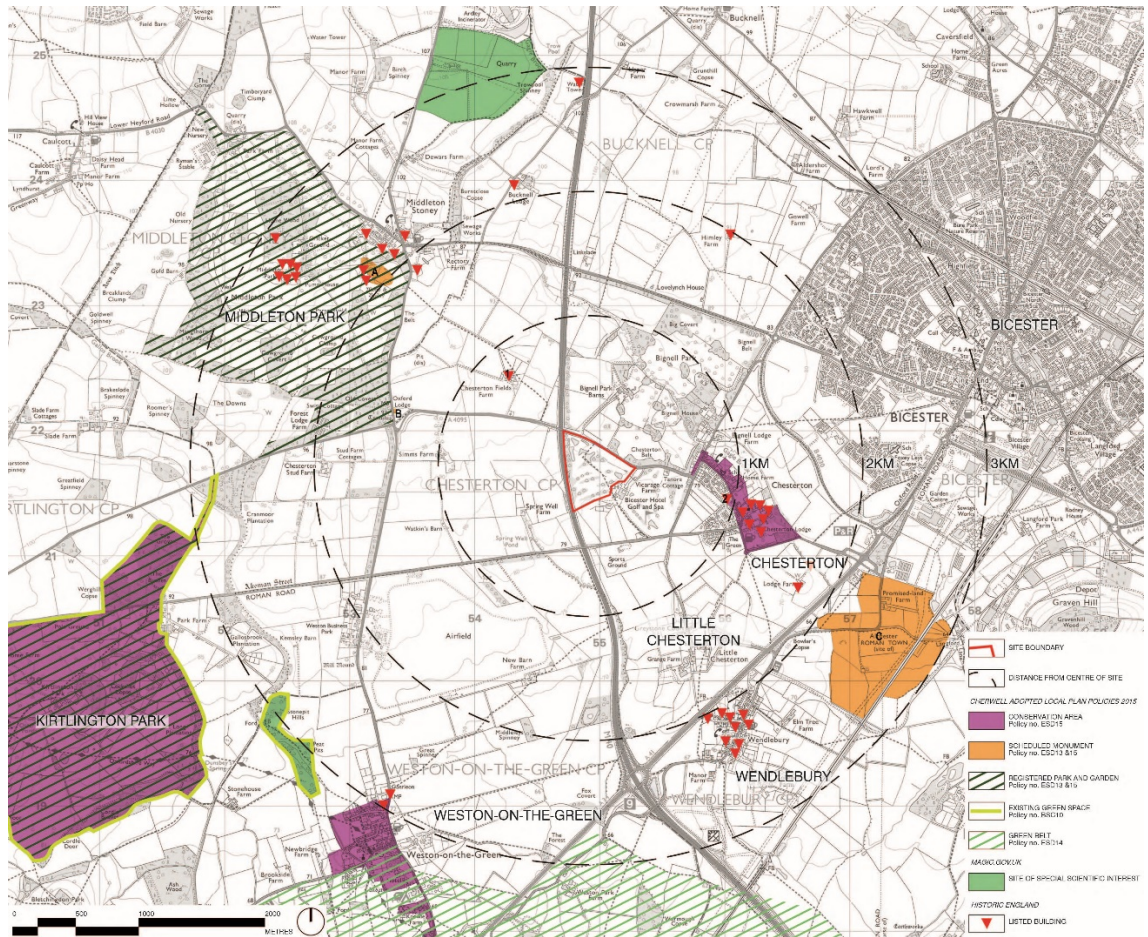
- *the area is dominated by large arable fields* – evident into the distance to the west of the M40 and south of Green Lane, which substantially opens up the distance between settlements, residential dwellings and public activity – largely dispersing most public activity beyond 1.5 – 2 kilometres of the Site to the west and south;
- *woodland is a strong landscape element, and large woodland blocks are associated with the parklands and estates* – a feature particularly evident to the north-east of the Site, including that within Bignell Park, substantially contributing to the sense of enclosure to the landscape around the Site and limiting the influence of the proposed development beyond the A4095;
- *smaller grass fields around villages* – where field boundary vegetation ‘layers’ to reduce the openness in specific areas of the landscape, this includes areas around Chesterton;
- *belts of young mixed and coniferous plantations next to roadside hedges and dense corridors of willow and ash, belts of semi-natural woodland and poplar plantations bordering watercourses* – features which combine with the gradual gradient of local topography to constrain views of the existing tall woodland blocks and proposed development from areas beyond the immediate vicinity of the Site.



**Diagram illustrating key landscape elements noted from CW/59 Middleton Stoney LDU**

## 2.4 Designations

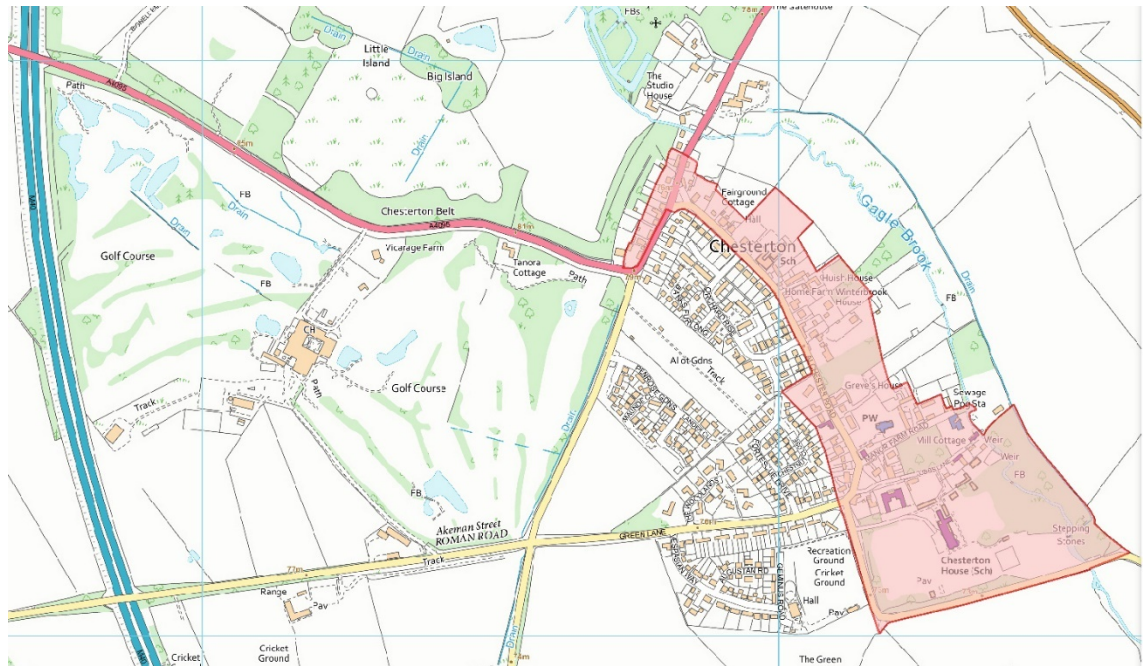
2.4.1 The Site is not subject to any national, regional or local landscape or heritage designations.



Extract of Figure 13.2 Planning & Environmental Designations from LVIA

**Chesterton Conservation Area**

2.4.2 Chesterton Conservation Area lies over 400 metres to the east and south-east of the Site at its closest point, with the eastern 9 holes of the golf course and extensive woodland of Bignell Park (including the Chesterton Belt) lying between the village and the Site.



**Extent of Chesterton Conservation Area from Cherwell District Council website**

2.4.3 The eastern part of the village is designated as a Conservation Area and displays a rural character, as described in the Chesterton Conservation Area Appraisal (January 2008) (CD7-1), with much of this part of the village dating before the 19<sup>th</sup> Century. However, the western part of the village is undesignated - comprised of 20<sup>th</sup> and some 21<sup>st</sup> Century infill development, that presents much more of a sub-urban character, with varying architectural style, materiality and extensive use of non-native ornamental planting to front and rear gardens. This character is in contrast to that of the adjacent Conservation Area however, the degree of enclosure surrounding the village, combined with the extent of mature vegetation throughout the village, limits any degradation on areas that express a more rural character.

2.4.4 As described in the Conservation Area Appraisal:

*“The village sits on relatively flat land. The area rises gradually from 70m in the south east to 80m in the north west. The result of this topography is that views out of the conservation area are few if any and that the area contains no sweeping panoramas.”*

2.4.5 This principle is evident on the north west side of the village and extends out into the surrounding landscape, where extensive vegetation on the eastern 9 holes of the Bicester Hotel Golf and Spa (BHGS) and on the southern half of Bignell Park (including the Chesterton Belt alongside the A4095) provide extensive separation between the village and the proposals.

2.4.6 The LVIA describes and represents (in photographic and other form) the extent of enclosure to the Site and the well vegetated nature of the surrounding context. This substantially constrains the potential influence of the Proposed Development, on all views and surrounding landscape character (including that of Chesterton Village) to that of the relatively immediate vicinity of the Site. As reported in the LVIA, there are no views from Chesterton village or any other settlements in the surrounding landscape.

#### ***Scheduled Monuments***

2.4.7 The Scheduled Monument of Alchester Roman Site lies further to the south-east, approximately 2 kilometres from the Site boundary at its closest point and beyond the busy dual carriageway of the A41, so precluding any intervisibility with the Site.

#### ***Registered Parks & Gardens***

2.4.8 Middleton Park Registered Park and Garden lies approximately 1.5 kilometres from the Site at its closest point, to the north-west. Kirtlington Registered Park and Garden (and Conservation Area) lies approximately 3 kilometres from the Site at its closest point, to the west / south-west. The relatively flat landscape and extent of intervening woodland (including that alongside the B430 Northampton Road, Gallos Brook Plantation and on the eastern edges of these designated areas) precludes any intervisibility with the Site or Proposed Development.

#### ***Listed Buildings***

2.4.9 There is a Grade II listed Barn some distance from the Site (over 500 metres to the north-west) 40 metres north-west of Chesterton Fields Farmhouse. The farmhouse itself, its distance and the extent of intervening vegetation prevents any potential for views of the Site or Proposed Development. There are also a number of other listed buildings within the wider area associated

with the above designations, but there is no intervisibility, as with the respective Conservation Area or Registered Park and Gardens within which they lie.

### ***Bignell Park***

- 2.4.10 Bignell Park lies to the north-east of the Site, beyond the A4095. This park is not designated (in any local or other documentation or policy). The park has no public rights of way or public access and is host to a residential property and small business park (Bignell Park Barns) toward its centre, along with a small number of residential properties on its boundary with Chesterton village. This park has a substantial extent of woodland cover that largely separates it from the surrounding landscape, largely precluding any visual interaction with the Site.

## **2.5 Visual Amenity**

- 2.5.1 An initial appraisal of the potential effects on visual amenity was undertaken in February 2019 to consider 'winter' views, when vegetation was not in leaf. Subsequent fieldwork was carried out in April and May 2019 to capture additional views requested by CDC. Photographs were included in Appendix 13.4 of the ES (CD1-13). These latter viewpoints were revisited once again in December 2020, when the vast majority of leaves had fallen from vegetation.

### ***Visual Context***

- 2.5.2 The Site is visually contained from the wider landscape context due to the combined influence of the perceptually flat but gently sloping landform, dense boundary vegetation and screening provided by strong areas of woodland and other vegetation in the surrounding landscape.
- 2.5.3 Along the western boundary, the heavily vegetated M40 corridor offers a substantial visual barrier preventing views into the Site from the west. The A4095 runs along the north-eastern boundary of the Site and the existing roadside hedgerow and trees also offer a strong visual barrier to views from the road, with significant blocks of woodland directly to the north of the A4095 (Chesterton Belt) and further into Bignell Park effectively enclosing this area of the landscape and preventing views into the Site. The southern and south-eastern boundaries are only partly enclosed, allowing a range of oblique, direct and glimpsed views from the existing hotel and spa. Views of the Site

from the wider context of the Study Area are very limited, with most areas subject to no views of the Site or any of its tall woodland / plantation (which is up to 20 metres in height, as reported in the Arboricultural Implications Assessment (CD1-3), with the tallest elements of the Proposed Development only 2.5 metres taller at 22.5 metres).

***Visual Receptors and Representative Viewpoints***

2.5.4 The LVIA (CD1-13) (Appendix 13.6) contains a detailed description of the viewpoints that were considered, in agreement with CDC, to determine the potential for views of the Proposed Development, along with photographs from each viewpoint (at Appendix 13.4) and a plan to show their location and direction of view (Figure 13.7 at Appendix 13.3).

2.5.5 The sensitivity of viewpoints is determined by consideration of their value and susceptibility to the nature of development proposed, with consideration of the context of each view (e.g. direction, distance, extent and influence of intervening features). These judgements are set out in the LVIA at Appendix 13.6.

***Views from Residential Properties and Settlements***

2.5.6 There are two properties in relatively close proximity to the Site, Vicarage Farm and Stableford House. These lie adjacent to the south-east boundary between the eastern and western halves of the existing golf course. These properties have filtered views from their upper floor windows to the north-west and west towards the southern and central parts of the Site, with views from the ground floor (which is considered to be more regularly occupied) screened / heavily filtered or influenced by the combination of the following features:

- the hedgerow along the Site's south-east boundary and trees within the Site close to the boundary;
- the hedgerow along each respective property's north-west boundary and trees within their garden / curtilage;
- the existing built form of the BHGS.



**Aerial photograph showing Vicarage Farm & Stableford House (top right) in the context of the BHGS**

2.5.7 As reported in the LVIA, there are no views of the Site and Proposed Development from any other residential properties, including the nearest settlements of Chesterton (to the east / south-east) and Little Chesterton (to the south-south-east), properties at Bignell Park (to the north-east) or from farmsteads beyond the M40 (to the west), due to the extensive intervening vegetation in the immediately surrounding landscape. This was also reflected in the CDC Committee Report (CD3-3), which stated the following:

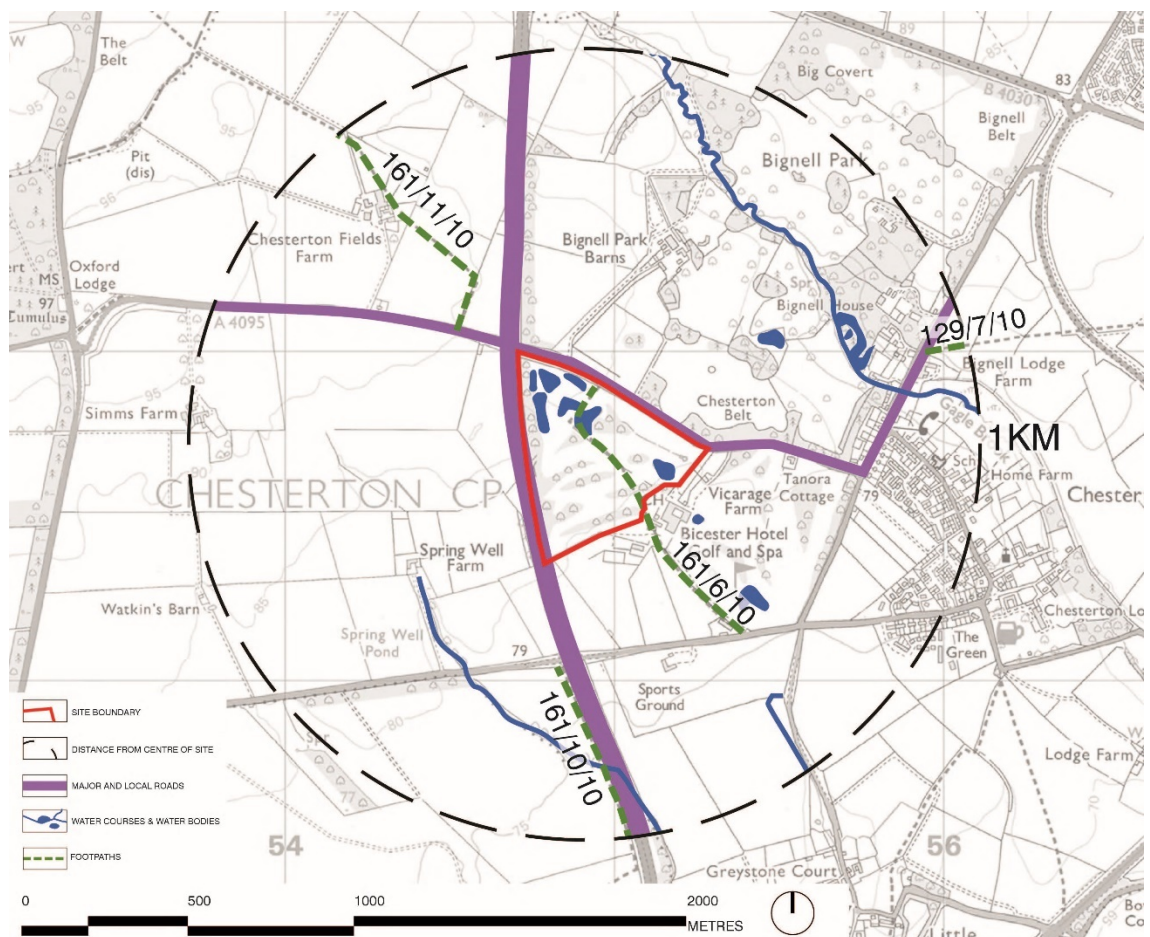
*“9.139 Further to the north-east, residents at Bignell Park have no views of the site due to the intervening woodland belt along the park edge and A4095. To the west, the vegetated edge of the M40 forms a strong visual barrier screening many views, combined with the undulating*



landform and other layers of intervening vegetation means that visibility of the site from the west is very limited. Based on the site survey for the LVIA there are unlikely to be any views of the site from Spring Well Farm and Simms Farm to the west of the M40.”

Views from Public Rights of Way

2.5.8 Aside from general highways, there are only four public rights of way within 1 kilometre of the Site.



**Extract of Figure 13.5 Access & Water from LVIA**

2.5.9 Public footpath 161/10/10 approaches from the south, directly along the west boundary of the M40 (and is subject to significant noise and impediment to tranquillity). It is largely screened by vegetation along the motorway verge and highway earthworks of the Green Lane overbridge. The footpath terminates at Green Lane, where the closest connecting footpath is 161/6/10, over 500

metres to the east along the lane. The lane has mature scrub vegetation on either side, largely preventing views out to the surrounding landscape, including views toward the Site. There is no footway alongside this road, so any pedestrians passing between footpaths 161/10/10 (at the south-west side of the bridge) and 161/6/10 (on the driveway to the BHGS) are also likely to be heeding caution to traffic along the road, rather than paying particular attention to the surrounding landscape. These aspects all combine to substantially reduce the amenity value of route 161/10/10 and the connection to 161/6/10.

- 2.5.10 Public footpath 161/6/10 approaches the Site from the south-east (along the driveway into the BHGS). The route along the driveway is not as disturbed as that alongside the M40 of footpath 161/10/10 and less hazardous than the connection along Green Lane, but with industrial units of WIG Engineering visible adjacent to the entrance into BHGS from Green Lane and views over the eastern 9 holes of the golf course to the east of the route along the driveway, with a line of trees providing protection from golf balls in play on the 1<sup>st</sup> Fairway which lies alongside the driveway.
- 2.5.11 At the northern end of the driveway, the footpath enters and crosses the car park of BHGS, where there are clear views across the largely unvegetated car park, of the golf course maintenance buildings and the cluster of buildings associated with the hotel and spa.
- 2.5.12 The footpath then enters the western half of the golf course and:
- crosses the 18<sup>th</sup> fairway as golfers approach the green from the west;
  - passes through a line of trees to cross the 17<sup>th</sup> fairway, where golfers are driving west from the tee to the east, over a tight area of scrub to reach the fairway (with golfers potentially focussing on this difficult first shot and footpath users needing to be cautious on emerging from the trees to see if anyone is playing from the tee);
  - crosses the 11<sup>th</sup> fairway between the tee and the fairway (a short hole, with relatively open views), where golfers are playing from the west;

- crosses the 13<sup>th</sup> fairway (a long 'dog-leg' par 5 hole), where golfers are playing from the fairway to the east (with the corner screened by trees and very constrained views of the footpath alignment) attempting to play a long low-level shot over the line of the footpath (footpath users are also unlikely to be aware that they need to look back along the fairway to the south-east to take note of golfers' position on the fairway, with difficulty in judging whether golfers are in play and striking balls in their direction);
- passes between the two areas of woodland / plantation largely central to this part of the course, heading between two of the ponds clustered in the northern part of the Site;
- crosses the 15<sup>th</sup> fairway, where golfers are approaching the green from the north-west, from an area of low-level topography and with limited to no visual interaction between golfers and footpath users, where golfers are concentrating on playing to an area either before or after the adjacent pond ahead of the green;
- crosses the 16<sup>th</sup> fairway, where golfers are teeing off from the north-west behind trees, to play a long drive to reach the fairway, some distance to the south-west;
- leaves the golf course through a narrow gap in the boundary vegetation, opening out onto a narrow verge alongside the A4095.

2.5.13 Views are dominated by the golf course throughout (with no views out over the surrounding landscape) and any amenity value is impeded by a regular requirement for walkers to play close attention to the position of golfers - playing from tees and along fairways in varying directions - to ensure they are not struck by golf balls. Howard Swan advised me that the crossing of the 13<sup>th</sup> & 15<sup>th</sup> fairways, by the public footpath, are of particular concern in terms of safety to footpath users.

2.5.14 Where footpath 161/6/10 terminates at the A4095, the closest connecting footpath is 161/11/10, over 400 metres to the north-west along the lane. There is no footway alongside this road, so any pedestrians passing between footpaths 161/6/10 and 161/11/10 are also likely to be heeding caution to traffic along the road and not paying particular attention to the surrounding landscape, including views toward the Site. Tranquillity is impeded on the approach and crossing over the

M40 and these aspects all combine to substantially reduce the amenity value of the connection between footpaths 161/6/10 and 161/11/10.



**View from Green Lane, between footpaths 161/10/10 and 161/6/10, with WIG Engineering to left**



**View from Green Lane, on southern entrance to footpath 161/6/10 and BHGS driveway, WIG to left**



**View from footpath 161/6/10 on BHGS driveway, 1st Fairway to right**



**View from footpath 161/6/10 crossing BHGS car park, maintenance buildings behind car park**



**View from footpath 161/6/10 as it exits BHGS along boundary with A4095**

- 2.5.15 Public footpath 161/11/10 approaches the Site from the north-west, passing Chesterton Fields Farm over 500 metres from the edge of the Site boundary and beyond the busy M40, to the north of the A4095. The A4095 rises on embankment to approach and pass over the M40, the earthworks and associated planting of which prevent any views of the Site on approach from the north.
- 2.5.16 Public footpath 129/7/10 lies to the east of the Site, beyond Bignell Park and Chesterton village, both of which prevent any visibility with the Site.
- 2.5.17 All other public rights of way beyond 1 kilometre of the Site have no potential for intervisibility with the Proposed Development.

2.5.18 To consider the use of footpath 161/6/10, a survey was carried out over two days in August 2018 (see Philip Bell's Proof of Evidence). Only 7 people were recorded using the path over these two days, all of whom entered from the south at Green Lane (with no one entering via the northern access from the A4095). All of the people using the southern access were entering the BHGS, of which 3 were staff, 2 were visiting the gym and 2 were visiting the café. This survey indicated that the section of footpath 161/6/10 that crosses the golf course is seldom used. This assumption was backed up by a discussion with the pro-shop staff during LVIA fieldwork and is not surprising, given its nature and where it leads to and from.

2.5.19 Whilst there are many footpaths across the country that traverse golf courses, a number of which are well used by their respective local communities, I consider the lack of use of footpath 161/6/10 is likely to be due to a combination of reasons, including:

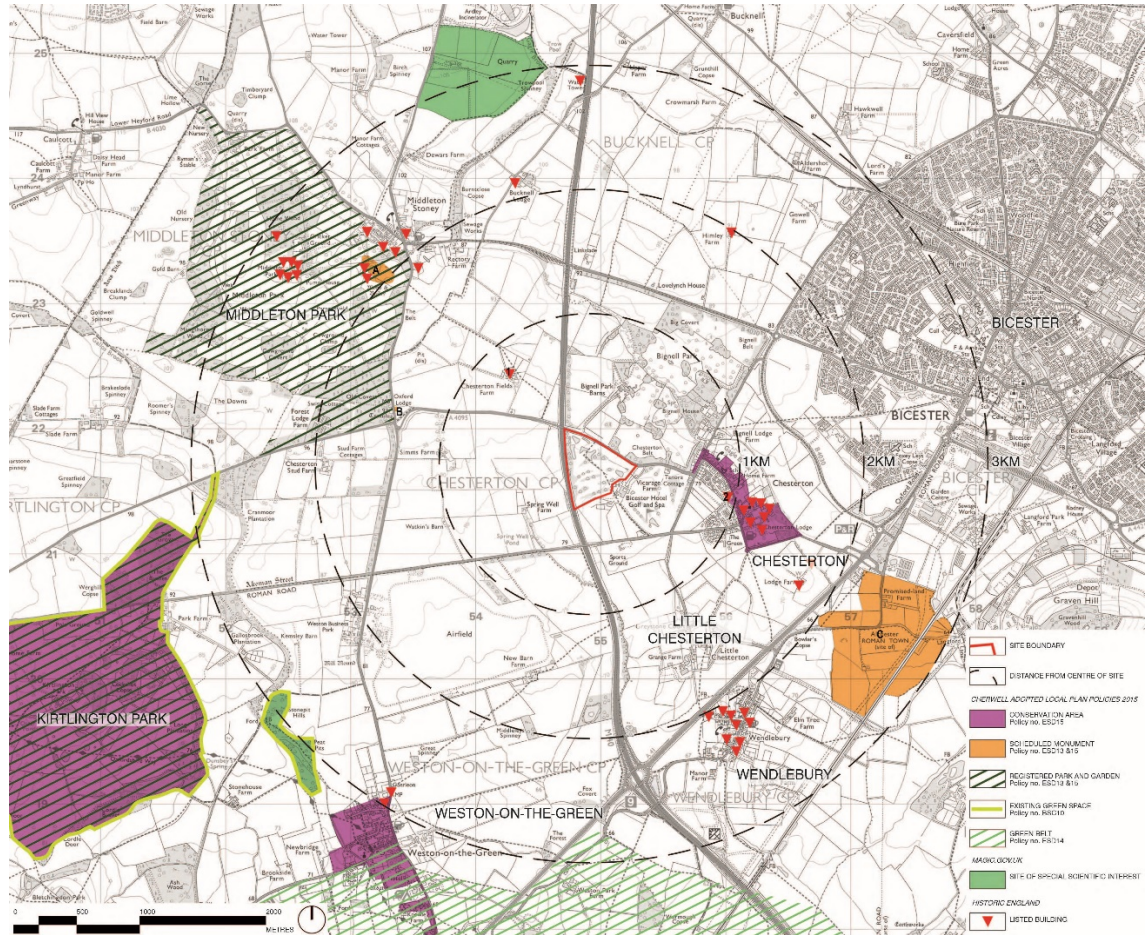
- the poor connectivity between footpath 161/10/10 and 161/6/10 or from Chesterton village (along Green Lane);
- the hazardous route of 161/6/10 as it crosses the western 9 holes of the golf course;
- the poor connectivity between footpath 161/6/10 and 161/11/10 (along the A4095).

Views from Heritage Assets

2.5.20 As I have already noted, views from the Chesterton Conservation Area and its associated listed buildings to the Site are prevented by the mature and broad strip of woodland along the north side of the A4095 (Chesterton Belt), and vegetation within and along the south-east boundary of the eastern half of the golf course. The majority of the Conservation Area also lies to the east side of the village, with 20<sup>th</sup> & 21<sup>st</sup> Century development on the west side of the village also lying between the Conservation Area and the Site.

2.5.21 Assets to the west of the Site include a Grade II listed barn at Chesterton Fields Farmhouse. Views of the Site are substantially screened by layers of intervening vegetation on the boundaries of the Site, alongside the M40 and along intervening field boundaries. Further west are the Registered Park & Gardens of Middleton Park and Kirtlington Park. The combined effect of

distance (c. 1.5 kilometres and 3 kilometres from the Site respectively), relatively flat topography and extent of intervening vegetation preclude any views of the Site or potential for views of the Proposed Development from these valuable heritage assets.



**Extract of Figure 13.2 Planning & Environmental Designations from LVIA**

Views from Roads / Highways

2.5.22 The M40 lies in a cutting as it passes west of the Site, with extensive existing woodland vegetation preventing views into the Site when travelling southbound and a range of open oblique / filtered views when travelling northbound for a short distance from around the Green Lane overbridge to the south-west corner of the Site (over this distance of approximately 300 metres at a speed of 70 mph, the Site and area of the Proposed Development would be seen for approximately 10 seconds).



**Viewpoint South B from LVIA Appendix 13.9**  
showing vegetation along Site boundary with M40 (left of view)



**Viewpoint North B from LVIA Appendix 13.9**  
showing view under Green Lane overbridge from M40, with Site to centre right of the view

2.5.23 There are oblique open and / or filtered views of the Site from the elevated bridge of Green Lane over the M40, albeit for a very short distance (over this distance of approximately 70 – 80 metres, at a speed of 40mph, the Site and are of the Proposed Development would be seen for approximately 4 seconds) between blocks of woodland on the embankments either side of the bridge.





**Crop of LVIA Viewpoint 4 (taken in November 2020) from Green Lane bridge over M40**

2.5.24 There are glimpsed views of the Site from the elevated bridge of the A4095 over the M40, albeit these are heavily screened / filtered by dense vegetation on the cutting slopes of the motorway and along the inside edge of the Site's west boundary, so are unlikely to be particularly perceptible.



**Crop of LVIA Viewpoint 2 (taken in November 2020) from A4095 bridge over M40**

2.5.25 As vehicle occupants move along the A4095, there are heavily filtered views through to the Site in winter, screened in summer by the mature scrub and trees along the north-east boundary of the Site. These become more oblique and eventually become perpendicular as vehicle users and pedestrians move south along the road.



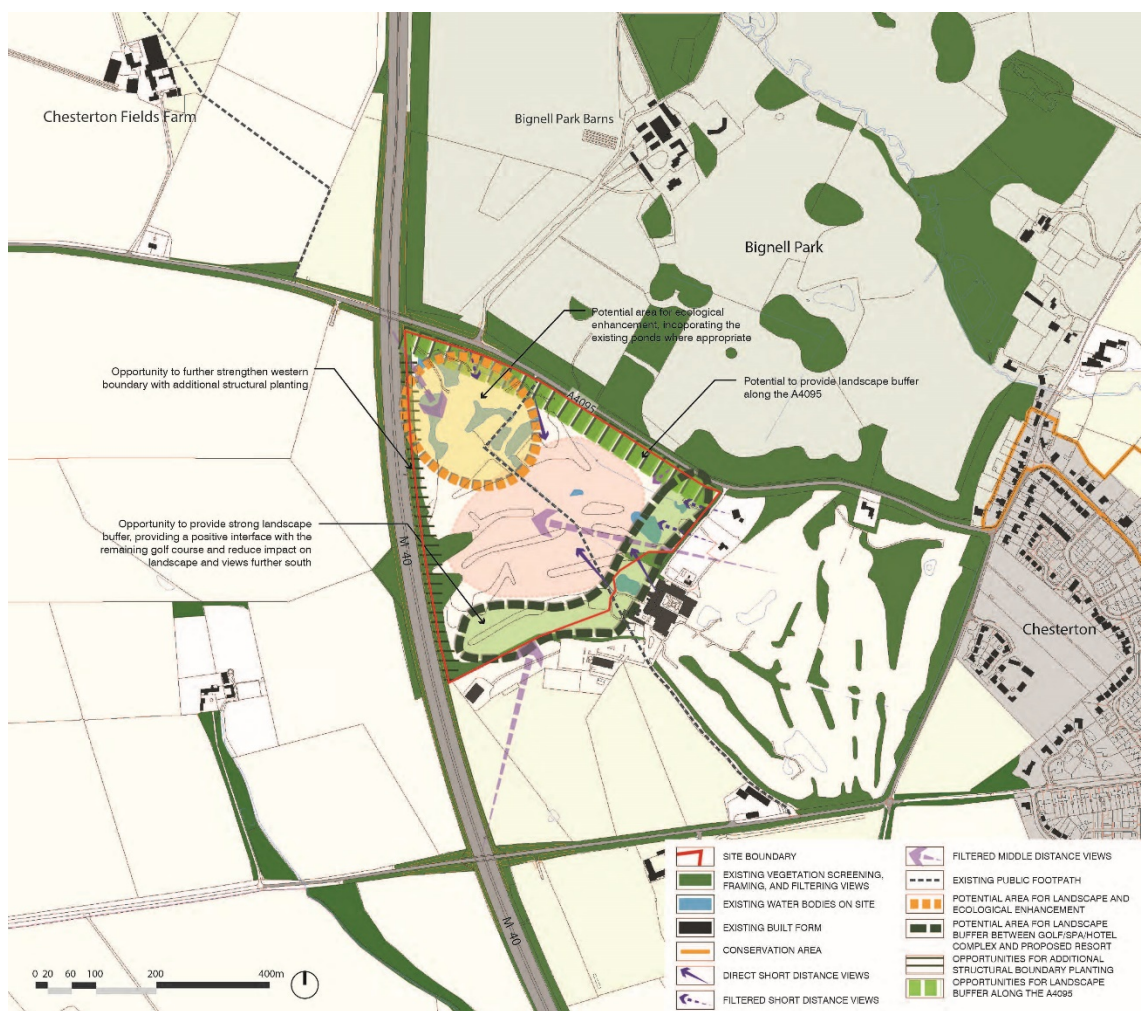
**Crop of LVIA Viewpoint 14a (taken December 2020) of vegetation along boundary with A4095**

## **2.6 Landscape Analysis**

2.6.1 The Landscape & Visual Analysis plan below (extracted from Appendix 13 of the ES) illustrates the key constraints and opportunities drawn from the initial analysis of the landscape and visual context and was used to draw out the following principles to guide the proposals for the development:

- Conserve and enhance landscape components of value where possible, to include existing waterbodies, large areas of woodland / plantation, boundary vegetation and individual trees.
- Reflect the landscape character of the wider CW/59 Middleton Stoney LDU, in particular to introduce and / or enhance key characteristic features such as woodland, parklands, species-rich hedgerow as boundary treatment and hedgerow trees.
- Establish a multifunctional framework of green infrastructure that strengthens ecological and landscape connectivity, improves landscape resources, reduces flood risk through integration of a Sustainable Drainage Strategy (SuDS) and enhances visual amenity.
- Minimise visual impacts, especially those who have nearer and clearer views of the proposed development, including adjacent residents, users of the public footpath within the Site and visitors to the remaining BHGS.
- Provide a designated route, suitable alignment and enhanced landscape setting for the existing on-site public footpath, along with improved public access to the Site.

2.6.2 The landscape proposals have been developed in response to the various landscape conservation and enhancement guidelines outlined by the published landscape character assessments for NCA 107 and OWLS. The implementation of a multifunctional framework of green infrastructure will help to enrich the landscape features, reinforce retained boundary vegetation, strengthen ecological and landscape connectivity, increase woodland coverage, provide publicly accessible green space and bring benefits for biodiversity and recreation.



Extract of Figure 13.8 Landscape & Visual Analysis from LVIA

### **3. PROPOSALS**

#### **3.1 Design Context**

3.1.1 The proposals have been developed in response to:

- the brief and basic requirements for Great Lakes UK for their proposed Great Wolf Lodge; and
- consideration of the existing features of value on the Site and its surrounding context (including that of the landscape and visual context set out in the LVIA).

3.1.2 Consideration of these aspects resulted in the development of a bespoke design that responds specifically to the Site and its surrounding context.

3.1.3 This section outlines the landscape-led approach to the design of the Proposed Development, including influence on its layout, scale and massing. Architectural design in response to the cultural and architectural context is set out in the Design & Access Statement (CD1-7) and covered in the evidence provided by Nick Rayner.

#### **3.2 Site Analysis**

3.2.1 Initial site investigations were carried out to identify the landscape features present on the Site and to understand their value in ecological and arboricultural terms (set out in Chapter 9 Biodiversity of the ES (CD1-13) and the Arboricultural Impact Assessment (CD1-3)), along with consideration of their contribution to landscape character and visual amenity.

3.2.2 The following features were considered to be of the greatest value:

- mature vegetation along the boundary of the M40 and A4095 (reducing in value as it extends into the golf course to divide the existing fairways);
- existing plantation woodland located toward the northern part of the central Site area;
- a cluster of seven existing ponds in the northern part of the Site, currently supporting a population of great crested newt (GCN) (albeit these would benefit from enhancement to maximise their ecological and amenity value);

- another three ponds located toward the centre / east part of the Site.

3.2.3 This assessment identified that the north-west third of the Site is the most sensitive to change and contains the greatest proportion of features of value, with the main opportunities for contributing to the amenity value of the Proposed Development, capitalising on views out over this area from the proposed Hotel, Water Park and surrounding outdoor amenity areas.

3.2.4 An analysis was undertaken to consider the extent of enclosure of the Site as a result of existing vegetation on the Site and that in the surrounding context. This identified the south-west third of the Site to be the most suitable location to incorporate the built form of the development (as a result of its extent of mature screening alongside the M40).

3.2.5 Preferred access off the A4095 was considered to be more acceptable into the south-east third of the Site, away from the more sensitive areas to the northern third of the Site, thus making this area more suited to general use for parking and service vehicle access.

### **3.3 Design Development**

3.3.1 An initial concept layout was developed by EPR, based on the above principles, circulated for team consideration and presented to CDC at the first Pre-Application Meeting to consider their initial response to the proposals.

3.3.2 A series of wirelines were prepared to inform discussions in pre-application meetings, confirming the likely visibility of initial assumptions on the height parameters for built form and informing design development to alter or break up its mass, scale and form. These wirelines confirmed that the Proposed Development would largely only be perceived from within the Site, from close range views along the A4095, in views heading north along the M40, from the two residential properties directly adjacent to the Site's east corner and from the nearby bridges over the M40 (at Green Lane and on the A4095).

3.3.3 Over a series of further pre-application Meetings (the findings of which are summarised in the DAS (CD1-7)), the proposals were then developed to include:

- 
- Retention of as many trees on the Site as possible, including the majority of vegetation along the western boundary, with the built form and service area moved as far from the M40 boundary as possible to maximise the extent of vegetated buffer along this edge.
  - Additional woodland planting along the west boundary with the M40, to supplement and reinforce the existing vegetated buffer.
  - Retaining the majority of landscape buffer planting alongside the A4095 - with the only break in vegetation at the proposed entrance, along with the width of boundary vegetation narrowed in this area to clear the visibility splays and to integrate the footway alongside the A4095 – mitigated with additional planting provided along the inside edge of the boundary to reinforce the buffer.
  - Additional woodland planting provided along the northern half of the boundary with the A4095, reinforcing the vegetative enclosure of the northern parkland from the elevated section of the A4095 as it approaches / moves away from the M40 overbridge and contributing to the woodland parkland character of the adjacent Bignell Park, enhancing the local wooded landscape character.
  - Provision of a well vegetated car park area, to reinforce the 'layering' of planting between the Hotel and A4095, to comprise:
    - Car park split into 'zones' to break up its perceived area, with the car park layout adapted to retain existing vegetation within and around the car park where possible;
    - New species-rich hedge provided around the perimeter of the car park and single species hedges provided between car park 'rows', to limit views of parked cars at pedestrian eye level;
    - Trees provided at the end of all car park rows to heavily filter views across to the new built form.
  - Mounding up to 4 metres in height along the current 10<sup>th</sup> Fairway (adjacent to the south boundary), to elevate new woodland planting and maximise its screening / softening function and enclosure along this edge of the Site.

- Mounding and woodland planting adjacent to the south-east boundary, to maximise its screening / softening function for views from Vicarage Farm and Stableford House.
- Proposed diversion of the existing public footpath 161/6/10, to locate it within a strong green corridor along the southern boundary to the A4095.
- Development of a publicly accessible route within a new area of parkland in the northern third of the Site.

3.3.4 The following measures were also incorporated into the design of the built form so as to reduce its potential influence on the landscape and visual amenity, with further detail provided in Nick Rayner's Proof of Evidence:

- Building heights were reduced for the Hotel wings facing north-east, from four to three storeys, to reduce perception of building height.
- The hotel massing was broken up visually through the introduction of vertical features and a change in materials to reduce perception of a single building in glimpsed views from the A4095, particularly with the maturing of the landscape proposals – which would further break up the perceived massing of the buildings.
- Architectural detailing was developed to respond to studies of the local architectural context, proposing a palette of materials used locally - with colour, texture and tonal quality proposed to complement the existing landscape context.
- The built form for the Water Park was designed to reflect the 'barn style' of other large buildings found in the surrounding rural landscape.
- The water slide tower was situated close to the existing mature woodland buffer along the M40 boundary to maximise the immediate effect of its screening.

### **3.4 Landscape Proposals**

3.4.1 A sensitive approach was taken to the landscape design of the Proposed Development, making use of existing landscape features of value wherever possible. The landscape proposals are set out in Section 6.6 of the DAS (CD1-7).

3.4.2 The following design principles were used to guide the design of the landscape and framework of Green Infrastructure for the proposed Great Wolf Lodge:

- Provide a setting of the highest landscape and environmental quality, suited to the nature of the development.
- Provide woodland planting of a sufficient scale to integrate the development with the surrounding landscape and mitigate visual impact of the development, whilst providing a comfortable microclimate for visitors.
- Enhance the existing habitats of the golf course (ponds and woodland) for habitat creation as set out within the Habitat Management and Monitoring Plan (CD2-2).
- Enrich the value of the landscape, incorporating existing features where possible.
- Provide suitable mitigation measures to compensate for the loss of existing habitats using native species.
- Deliver a balanced and coherent approach to the scheme to provide long-term amenity value.
- Develop an appropriate range in hierarchy of landscape treatment, character and detail to emphasise character areas within the development, strongly defining the sense of place and reflecting local character.
- Use natural materials where possible, integrating flexible paving systems, sustainable drainage and water recycling.

3.4.3 As a response to the spatial requirements of the proposed development, the landscape is subdivided into the following internal character areas.

*Front Entrance*

3.4.4 A boulevard of disease resistant Elm trees is proposed to provide a strong formal entrance to the hotel from the A4095, framing a clear vista on entrance to the Site. Combined with the hedgerows and trees across the car park and scattered tree planting around the entrance, the boulevard trees would substantially limit views of the entire frontage of the built form, with glimpsed views of the variation in height and materiality of the Hotel perceived as a cluster of smaller buildings –



rather than a single mass. This would provide a positive and well landscaped view of the entrance from this directed vista off the A4095.

- 3.4.5 An existing pond would be retained and enhanced with aquatic and marginal planting to form a focal feature on approach to the Port Cochere, with retained and new tree planting straddling the pond to frame the Hotel entrance / main drop off point.



**Illustrative Landscape Masterplan (from Appendix B) noting entrance features**

*Northern Parkland*

- 3.4.6 Important ecological and landscape features in the northern part of the Site would be retained and enhanced to form a new area of parkland, whilst contributing to the compensation of habitat loss elsewhere as a result of the Proposed Development.

- 3.4.7 The parkland would include areas of new native woodland, scrub planting and areas of scattered trees - alongside enhancement of the existing ponds and creation of new ponds with additional aquatic planting - surrounded and connected by species-rich grassland meadows with wildflower.
- 3.4.8 A network of new self-bound gravel and mown grass paths provide access through the parkland, allowing guests to explore and providing a substantial new amenity resource for the general public to learn about this enhanced and ecologically rich area - through a comprehensive wayfinding strategy and interpretation boards / posts, providing information about the species and habitats that can be found on the Site.
- 3.4.9 Mounding and acoustic fencing would reduce noise from the M40 and these vegetated boundaries would be strengthened with additional woodland planting to provide a robust edge, maximise the sense of enclosure and reinforce contribution of site features to the wider landscape character.



**Illustrative Landscape Masterplan (from Appendix B) noting Northern Parkland**

*Family Entertainment Centre (FEC) & Conference Centre External Amenity Spaces*

- 3.4.10 Acoustic mounding and a perimeter attenuation swale delineate the boundary between these semi-private outdoor spaces for guests and the edge of the publicly accessible areas of the Northern Parkland. The area outside the FEC provides open air amenity and play facilities for guests, set amongst a canopy of scattered native trees that softens the barn style facades of the Water Park, whilst the area outside the Conference Centre provides a formal tree lined lawn for a marquee and hard paved patio to extend conference facilities.



**Illustrative Landscape Masterplan (from Appendix B) noting FEC & Conference Outdoor Areas**

*10th Hole Buffer & Southern Boundary*

- 3.4.11 The southern boundary of the Site would be strengthened with new native woodland and shrub planting, supplemented with evergreen tree and shrub species to improve year-round screening. Planting would be elevated on mounding to maximise its effect, with a noise barrier provided alongside the southern edge of the car park to reduce noise from on-site vehicles.

- 3.4.12 The buffer along the current 10<sup>th</sup> Fairway would include new wildlife ponds and terrestrial habitat, to include enhancements for GCN as required by the Habitat Management and Monitoring Plan (CD2-2).
- 3.4.13 The existing footpath 161/6/10 is proposed to be diverted to run through this green corridor to the A4095, providing a serene woodland walk along this diverted section of the route, before heading off along a new footway south-east (into Chesterton) or north-west (to meet with footpath 161/11/10), all of which is considered a substantial improvement over the existing route across the hazardous golf course and grass verge / carriageway of the A4095.



**Illustrative Landscape Masterplan (from Appendix B) noting 10<sup>th</sup> Hole Buffer & South East Boundary**  
*Arrival Space & Car Park*

- 3.4.14 The car park and surrounding context has been designed to meet the requirements of the development, whilst retaining existing tree groups where possible. Existing vegetation along the

A4095 would be largely retained and enhanced to improve the screening and enclosure provided by this boundary.

3.4.15 Trees, hedgerows and shrub planting throughout the car park will help to break up the extent and perception of hard standing to create a verdant setting, heavily filtering views of parked vehicles and the built form beyond.

3.4.16 Reinforced grass would be used for parking areas along the south-eastern edge to further soften the car park surfacing.



**Illustrative Landscape Masterplan (from Appendix B) noting Car Park Landscape**

***Lighting Strategy***

3.4.17 The external lighting strategy is set out in the Lighting Design, Exterior Lighting Design Concepts Stage 2 Planning Document (CD1-21), submitted alongside the planning application for the Proposed Development. In summary, this proposed the following lighting:

### *Boulevard & Entrance*

- Uplighting to the boulevard trees along the entrance driveway, supplemented with feature lighting columns along the driveway and around the entrance drop-off, at a relatively low height of 4 metres to maintain intimacy and to limit the potential for lighting spill beyond the boundaries of the Site.
- Uplighting to feature trees around the entrance and frontage to Hotel wings, with architectural lighting to the Port Cochere, uplighting to the Wolf sculpture and concealed lighting to wash over the entrance pond - all of which combines to provide functional ambient lighting levels, whilst picking out landscape features to enhance the character of the setting after dark.

### *Family Entertainment Centre (FEC) & Conference Centre External Amenity Spaces*

- Pathways would be picked out with attractive lighting bollards, to facilitate safe way finding without resulting in excessive lighting spill.
- Concealed lighting would also be provided under benches and under the western 'T' shaped boardwalk bridge to set them out as features, contributing to discreet navigational lighting.
- Subtle ambient lighting would also be provided to terraced areas outside the Water Park and Conference Centre, through the use of downward facing wall wash luminaires fitted to the adjacent building façade.
- The main amenity space will be lit using uplighters to features trees, to pick them out as features within the space, whilst contributing to ambient lighting levels.

### *Car Park*

- The car park would be lit with lighting columns to provide sufficient functional lighting, whilst limiting the potential for lighting spill beyond the boundaries of the Site – column heights would be reduced along the south-east edge of the car park to minimise the effect on adjacent properties.

- Lighting columns would use downward facing ‘flat-bed’ fittings, to prevent horizontal light spill, with all luminaires on the perimeter of the Site fitted with internal glare guards to prevent lighting spill beyond the boundaries of the Site.
- Photocalls would be integrated into all luminaires, to ensure the lights are only lit after dark, with dimming control reducing lighting levels to 50% from midnight to 5am.

#### *Service Road & Yards*

- Similar to the car park, the service road would be lit with luminaires mounted on lighting columns and to the service edge of the buildings, set at 6 metres in height, to minimise the effect on surrounding areas.
- Light levels would be set at 10 lux, as would be the case for the car park, for general times after dark – increasing automatically to 50 lux during delivery times and then dropping back to 10 lux.

3.4.18 The impact of this lighting was assessed by Hoare Lea and reported in the External Lighting Baseline Survey (CD1-14) and Environmental Lighting Illumination Impact Profile (CD1-18) that accompanied the planning application for the Proposed Development. This information informed the night-time judgements set out in the LVIA (CD1-13). CDC’s Environmental Health Officer noted in an email to Clare Whitehead on 19<sup>th</sup> December 2019 (CD10-24), that the scheme “*seems to be a well thought out and sensitive scheme whilst providing the required lighting levels.*”

### **3.5 Quantifying Landscape, Habitat & Environmental Enhancement**

3.5.1 The Arboricultural Impact Assessment (AIA) (CD1-3) that accompanied the planning application for the Proposed Development reported the following arboricultural effects of the Proposed Development:

*“The overall arboricultural effects of the Proposed Development on the baseline arboricultural resource during construction are considered to be slight adverse. This assessment is based upon the following factors:*

- *Arboricultural features identified for removal are internal to the Site and are not inherently important to the landscape character of the wider area;*
- *Arboricultural features around the periphery of the Site are retained;*
- *The majority of arboricultural features which are to be removed are of low quality and are thus of insufficient value to influence development;*
- *All other arboricultural impacts are either limited in extent or can be mitigated through the implementation of suitable tree protection measures.*

*Subject to the provision of an appropriate programme of post-development tree planting the longer term arboricultural effects are considered to be neutral. This assessment is based upon the extensive opportunities for new tree planting which exist within the Site including options for increasing population diversity, resilience and visual appeal.”*

3.5.2 The Biodiversity Net Gain Assessment (CD2-1), submitted prior to determination of the planning application for the Proposed Development, reported that:

*“The majority of the Site is currently of low biodiversity value, comprising approximately 68% amenity grassland (J1.2). Habitats of higher biodiversity value include standing water (G2), broadleaved and mixed plantation woodland (A1.1.2 and A1.3.2), broadleaved parkland/scattered trees (A3.1) and hedgerows (J2.1.2, J2.3.1 and J2.3.2).*

*The Proposed Development aims to enhance the majority of the existing amenity grassland to semi-improved neutral grassland (B2.2). The remaining areas of the Site will comprise the hotel complex and associated hardstanding and landscape planting. Existing waterbodies, woodland and hedgerows will be retained and enhanced where possible.*

*No irreplaceable habitat or statutory designated sites are directly impacted by the Proposed Development. Under current landscape plans, the Proposed Development would result in an overall net gain (+27%) in area-based biodiversity units, with no area-based HPI habitat lost. There would be a net gain of linear units generated by hedgerow HPI (+117%). There is a net loss in three woodland habitat types (broadleaved parkland/scattered trees, coniferous*



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*parkland/scattered trees and Mixed parkland/scattered trees), but the Proposed Development has achieved net gain for similar habitat types: mixed plantation woodland and broadleaved plantation woodland. Consequently, the Proposed Development achieves an overall biodiversity net gain. There is a loss of ditches mapped as running water in the baseline Phase 1 habitat survey. It is considered that this is adequately compensated for by the provision of vegetated swales.”*

3.5.3 BMD have conducted a Peer Review of the Biodiversity Net Gain Assessment, which updates the findings reported by WSP. The Peer Review is set out in James Patmore’s Proof of Evidence.

3.5.4 In summary, the landscape proposals provide the following improvements / enhancements to the landscape of the Site:

- Areas of woodland (broadleaved & mixed plantation), overall increase from 2.07 hectares to 3.67 hectares.
- Areas of native shrub planting (scrub) increased from 0.03 hectares to 0.48 hectares.
- Areas of poor semi-improved and amenity grassland replaced, to increase the area of semi-improved neutral grassland from 0.46 hectares to 3.07 hectares.
- 182 metres of existing hedgerow (of which 8.5 metres is species-rich) increased to 812.5 metres (of which 655 metres is species rich).
- Replacement of 315.5 metres of ditch with 466 metres of swale as part of the strategy for the Sustainable Drainage System (SuDS).
- Enhancement of existing ponds with marginal and aquatic planting, along with creation of 0.63 hectares of marsh grassland.
- The area of parkland / scattered trees has decreased from 1.58 hectares to 0.67 hectares however, this is far offset by increasing the length of hedgerow containing trees by an additional 134.5 metres, along with an increase in the area of woodland noted above.

3.5.5 The above measures represent a substantial increase in high quality landscape features within the Site boundary, forming a new publicly accessible parkland area and extensive network of green infrastructure for the Proposed Development, delivering an appreciable enhancement to

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the resource of the Site – woodland features of which would contribute to the character of the surrounding landscape.

- 3.5.6 The landscape proposals would be established and managed, in accordance with the objectives and operations outlined in the Landscape Maintenance & Management Plan (CD1-20) and the Habitat Management and Monitoring Plan (CD2-2), to ensure successful establishment and long term maturity of the features proposed as part of the development.

## 4. FINDINGS OF THE LANDSCAPE & VISUAL IMPACT ASSESSMENT (LVIA)

### 4.1 Landscape Effects

4.1.1 The LVIA (CD1-13) concludes that the Site is characterised by the existing BHGS (particularly the golf course) and does not contain many features across much of its extent that are characteristic of the surrounding landscape (particularly those defined by published landscape character assessments). The main features contributing to local landscape character comprise:

- well established boundary vegetation, in particular the woodland belt alongside the M40 and the hedgerow / hedgerow trees alongside the A4095;
- small scale woodlands and plantations in the northern part of the Site.

4.1.2 The Site is largely enclosed and separated from the wider landscape context due to the combined influence of gently sloping landform, dense boundary vegetation and screening provided by strong areas of vegetation in the immediately surrounding landscape, including:

- layers of vegetation between the fairways of the southern half of the golf course to the south east;
- mature woodland alongside / directly to the north of the A4095 (including the Chesterton Belt) and within Bignell Park to the north east;
- the heavily vegetated M40 corridor to the west.

4.1.3 This containment substantially limits the likely effects of the proposed development, which would be experienced by those on the Site and in areas within close proximity, with negligible or no effect on the majority of the landscape beyond the Site's immediate vicinity.

#### Landscape Character of the Site

4.1.4 During construction the southern two thirds of the existing golf course would become an active construction site, with emerging built form. There would be loss of some existing low value grassland and a number of trees, mostly those that separate the current fairways (largely deemed to be of low value by the Arboricultural Impact Assessment (CD1-3)). Existing landform would be

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modified to provide the mounding along the southern boundaries and additional ponds in various areas.

- 4.1.5 The majority of the boundary vegetation and ponds (key landscape features) would be retained and protected from any damage during construction works, with hoarding erected to provide another layer of containment.
- 4.1.6 With the retention of the most valuable features and removal of largely low value features, on balance the Temporary effect during construction would only be Moderate Adverse.
- 4.1.7 On completion of the Proposed Development, the Site would be transformed into the new leisure resort, with large scale built form set within a high-quality landscape. There would be localised loss of boundary vegetation to accommodate the new access off the A4095 and adjacent visibility splays but most of the boundary vegetation would be retained and supplemented with additional planting. The extensive landscape measures described in the DAS (CD1-7) would be in place, providing a considerable improvement over the existing landscape resource of the Site, albeit not yet sufficiently mature to provide the full benefits at this stage. On balance, the Short Term effect would reduce to Minor Adverse.
- 4.1.8 Following establishment of the landscape measures (Year 15), under the Landscape Maintenance & Management Plan (CD1-20) and ecological Habitat Management & Monitoring Plan (CD2-2), landscape mitigation and enhancement proposals along the boundaries of the Site would have matured to provide substantial screening and softening of the new built form, assimilating the Proposed Development into the landscape of the Site.
- 4.1.9 Woodland planting would be establishing well to offer a stronger coverage than currently in place on the golf course, enhancing the local wooded character of the local landscape. Although there would be permanent presence of the large-scale built form of the resort, the landscape proposals would provide a well-established high-quality landscape that dominates the setting and breaks up the massing of the new buildings. On balance, given the establishment of enhanced landscape

features in many areas of the Site, the Long Term effect of the development would be Minor Beneficial.

Surrounding Landscape Character

- 4.1.10 During construction there would be an uncharacteristic level of activity influencing the character of the landscape directly adjacent or in close proximity to the Site.
- 4.1.11 Alterations to the landscape resources of the Site would have a limited influence on the overall character of the surrounding landscape - including the landscape types and character areas described by published character assessments - with the majority of mature boundary vegetation on the Site retained by the Proposed Development. Changes in landform within the Site would have a very limited influence on the adjacent landscape and would be largely imperceptible from beyond the immediate vicinity.
- 4.1.12 Overall, given the extent of enclosure provided by Site perimeter vegetation and surrounding landscape features, the Temporary effect of construction activities would be Minor Adverse.
- 4.1.13 On completion of the Proposed Development, its built form would have an influence on the character of the landscape in close proximity but this would be minimal, given the extent of enclosure provided by the retention of landscape features on the boundaries of the Site and within the surrounding context. Overall, the effects on the character of the wider landscape would remain unchanged, resulting in a Negligible Short Term effect.
- 4.1.14 Following establishment of the landscape measures (Year 15), the woodland along the northern, western and southern boundaries would reflect the current wooded character evident locally, allowing the development to sympathetically assimilate into the wider landscape setting. These additional landscape features on the Site would contribute to the character of the surrounding landscape, albeit over time, the geographical extent of change is considered to become barely perceptible, resulting in a Negligible / Neutral effect in the Long Term.

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## **4.2 Effects on Designations**

- 4.2.1 As noted above at Section 2, the Chesterton Conservation Area lies to the east side of the village, with 20<sup>th</sup> & 21<sup>st</sup> Century development on the west side of the village and a substantial degree of vegetation and separation between the village and the Site (including the Chesterton Belt and eastern 9 holes of the golf course). This provides sufficient separation between the Proposed Development and the intimate landscape that surrounds the village to prevent any influence on its landscape setting.
- 4.2.2 Regarding the potential for any views from the direction of Chesterton village, a photograph was taken from the corner of the A4095 and The Hale (LVIA Viewpoint 5) and was overlaid with a wireline of the proposals (prepared independently by visualisation company Vista3D), to illustrate the likely lack of visibility of the proposals from this closest edge of the village. This wireline is contained in LVIA Appendix 13.8 and shows that the nature of the local topography and significant extent of intervening vegetation would preclude any potential visibility of the scheme from the village, or any influence on its surrounding intimate rural character.
- 4.2.3 As noted at Section 2 above, there would be no views from any other heritage assets, including listed buildings, scheduled monuments or Registered Parks and Gardens.

## **4.3 Visual Effects**

- 4.3.1 There are views into and across the Site from the upper storey north-west and west facing windows at nearby properties of Vicarage Farm and Stableford House immediately to the south east (although views from the ground floor are screened / heavily filtered by intervening vegetation, as noted under Section 2 above), along with views from footpath 161/6/10 as it crosses the Site. The southern boundary is only partly enclosed in the vicinity of the Hotel and Spa, also allowing views from here into the Site.
- 4.3.2 Otherwise, the Site is largely visually contained from the wider landscape context, due to the combined influence of gently sloping landform, dense boundary vegetation and screening

provided by strong areas of vegetation in the surrounding landscape – including that of the eastern half of the golf course.

- 4.3.3 Along the western boundary, the heavily vegetated M40 corridor offers a substantial visual barrier preventing views into the Site from the west. The A4095 runs along the north-east boundary of the Site and the existing roadside hedgerow and trees also offer a strong visual barrier, screening or heavily filtering views into the Site, with the heavily wooded landscape of Bignell Park further to the north-east significantly enclosing the visual envelope.
- 4.3.4 Views of the Site from the wider context of the LVIA study area are very limited, with most areas subject to no views of the Site or any of its tall woodland / plantation.

*Views from Residential Properties & Settlements*

- 4.3.5 During construction, residents of Vicarage Farm and Stableford House (LVIA Viewpoint 18) would have direct and filtered views of construction activities (cranes, plant and new built form), seen above and beyond existing intervening vegetation on the boundary / edge of the Site and within the boundary / garden of these properties. The majority of the view would be from occasionally occupied upper floor windows, with a greater degree of screening to more regularly occupied ground floor rooms. These views would contrast with the existing views over the golf course, resulting in a Temporary Moderate to Major Adverse effect.
- 4.3.6 On completion of the Proposed Development, two large bunds (of up to 4 metres above existing ground levels) would be in place along the Site boundary in the vicinity of these properties, planted with new woodland containing deciduous and evergreen coniferous trees. This earthwork would help to considerably reduce the views toward and influence of any noise from the proposed built form and car park at ground level. Noise levels would also be mitigated by a noise barrier along the southern edge of the car park – minimising the effect on levels of tranquillity to these properties. Views of built form above the bunding would remain, partially screened by retained vegetation in the summer and filtered in the winter. Residents viewing from less frequently occupied north-west and west facing upper floor windows would experience more direct and less

screened / filtered views of the Hotel and car park. From all other windows that do not face the Site, there would be very limited views of the Proposed Development, if at all. With new planting unable to fulfil its required screening function at this stage, the Short Term effect would be Moderate Adverse.

4.3.7 At night, views from the ground floor of these properties – of lighting to the proposed car park and cars – would be screened by the bunding but there would be filtered and glimpsed views of lighting from the upper levels of hotel rooms, providing a slight contrast with current views of the dark golf course but seen in the context of the current lighting at the BHGS. Views from upper floor windows would experience more lightly filtered or open views of lighting from the car park and new building but also seen in this context. Overall the night time effect on these properties in the Short Term is also considered to be Moderate Adverse.

4.3.8 Following establishment of the landscape measures (Year 15), the woodland planting on the bunds closest to these properties would significantly assist in softening and filtering views of the Proposed Development and associated car park, particularly in the summer months. Coniferous species in the woodland mix would reflect current planting elsewhere on the golf course and would enhance screening throughout the winter months. The extensive tree and hedgerow planting would have established in the car park, significantly reducing views of parking and of built form beyond. If retained, tree planting within the residential grounds of Vicarage Farm and Stableford House will also establish to further reduce the impact. The retained and supplementary planting to the Northern Parkland and along the western boundary would offer a robust backdrop to the new built form. The current views of the golf course would be replaced with a recreational resort heavily screened by woodland in close proximity to these properties and seen in the context of the existing BHGS. During the daytime, overall the Long Term effect would be Minor to Moderate Adverse.

4.3.9 During the night, establishment of woodland vegetation on the bund and extensive car park planting would also reduce the perception of visible lighting. However, glimpsed views of



luminaires and an increase in sky glow will remain, therefore at night the Long Term effect would also be Minor to Moderate Adverse.

- 4.3.10 With regard to the impacts on visual amenity from these properties, the CDC Committee Report (CD3-3) stated the following:

*“9.138 Officers consider that there is a likely detrimental visual impact upon the residents at Vicarage Farm and Stableford House however, due to the separation distance it cannot be considered that the development would have a significant adverse impact on residential amenity in terms of impacting upon light, privacy, overlooking or the building itself being significantly overbearing. Therefore, there is no sustainable reason for refusal on this basis.”*

- 4.3.11 Views from all other residential properties or settlements would be largely or completely screened by the intervening vegetation that substantially encloses the Site, with Neutral effects for most properties and Negligible effects for any with glimpsed views of the Proposed Development.

- 4.3.12 With regard to the impacts on visual amenity from any other properties, the CDC Committee Report (CD3-3) stated the following:

*“9.139 Further to the north-east, residents at Bignell Park have no views of the site due to the intervening woodland belt along the park edge and A4095. To the west, the vegetated edge of the M40 forms a strong visual barrier screening many views, combined with the undulating landform and other layers of intervening vegetation means that visibility of the site from the west is very limited. Based on the site survey for the LVIA there are unlikely to be any views of the site from Spring Well Farm and Simms Farm to the west of the M40.”*

Views from Public Rights of Way

- 4.3.13 Footpath 161/6/10 currently crosses the existing golf course (see LVIA Viewpoints 1b & 3) but would be diverted along the southern boundary of the Site, to lie within a new green corridor. During construction users of the path would experience direct views of construction activity and plant, resulting in a complete change to their current view and a Temporary Moderate – Major Adverse effect.

- 4.3.14 On completion of the Proposed Development, a large graded bund (up to 4 metres above existing levels) would be provided along the northern edge of the current 10<sup>th</sup> Fairway (to the near side of the nearest trees running across the horizontal centre line of Viewpoint photo 3), planted with new woodland. The remaining foreground grassland, trees and ponds would be largely retained and incorporated into an area of new open space, offering layers of screening and a high-quality landscape setting, filtering views of the new built form. The bund would screen views of the service road and yards to the rear of the resort. Views of built form above the bunding would remain, partly screened by retained vegetation in summer but only lightly filtered in winter. There would also be filtered views of the car park to the far right of the view. The footpath would continue through the green corridor between the BHGS and the A4095, with a bund up to 4 metres in height and a noise barrier separating the path from the adjacent car park. Retained trees and hedgerow on the southern edge of the Site would provide a verdant setting whilst new planting is establishing. Overall, the Short Term effect would be Moderate Adverse.
- 4.3.15 At night, it is anticipated that the footpath would not be used however, the bunding would assist in screening views of lighting to the service yard and car park but lighting from Hotel rooms would remain, contrasting with the relatively dark golf course. Areas of retained vegetation would help filter lighting from the lower floors of the Hotel and other buildings. Overall the Short Term effect at night would also be Moderate Adverse.
- 4.3.16 Following establishment of the landscape (Year 15), new woodland planting along the bunds (with coniferous species) and extensive tree planting in the car park would enhance the screening and filtering of views toward the resort, reducing the Long Term effect to Minor Adverse in the day and at night.
- 4.3.17 The effect on views from all other public rights of way would be Neutral.

Views from Roads / Highways

- 4.3.18 The most open close-range view of the Proposed Development would be from the entrance of the A4095, where there would be a break in existing vegetation at the new entrance into the Site.

There is currently no footway along this road and the Chesterton Belt is a woodland along the southern boundary of Bignell Park that forms a strong visual barrier on the north side of the road. Therefore, views would be constrained to temporary oblique fleeting views through this break in vegetation, from vehicles on the A4095. During construction there would be views of construction plant, cranes and new built form resulting in a Temporary Minor – Moderate Adverse effect.

- 4.3.19 On completion of the Proposed Development, there would be filtered and a fleeting glimpsed view up the boulevard to the Hotel and adjacent car park, broken up with hedgerows around the car park and between parking rows, resulting in a Short Term Minor – Moderate Adverse effect.
- 4.3.20 In the long term, on establishment of the landscape proposals (Year 15), the enhanced buffer planting alongside the A4095, extensive hedgerows and trees around and in the car park and boulevard trees would significantly screen and soften views of the car park and Hotel, providing a high quality landscaped setting to the entrance and views from the A4095. On balance, this would result in a Long Term Neutral to Minor Adverse effect.
- 4.3.21 There are elevated views of the Proposed Development from Green Lane and the A4095, where they cross the M40. The Green Lane crossing (Viewpoint 4) has a more open view of the Site than that of the A4095 (Viewpoint 2).
- 4.3.22 From Green Lane, this fleeting view would experience a glimpse of taller construction activities, plant, cranes and emerging built form – above existing buildings associated with the BHGS. Work at ground level would be largely screened by intervening vegetation and this existing built form. Early earthworks would include creation of the bund along 10<sup>th</sup> Fairway, rising up to 4 metres in height along the south boundary of the Site, which would also assist in screening views of ground level works. Construction works would alter a small proportion of the current oblique view, with the remaining corridor along the road remaining unaffected. In the context of the busy M40 corridor, the Temporary effect of these activities would be Minor – Moderate Adverse.
- 4.3.23 On completion of the Proposed Development, as illustrated by the photomontage provided at LVIA Appendix 13.8, there would be oblique fleeting views of the new built form, particularly the

waterpark building and external sections of slides. Existing vegetation retained along the southern and western edges of the Site would help to screen and soften views of the Proposed Development. The retained and supplementary planting along the western boundary and within the Northern Parkland would offer a robust backdrop to the new built form. However, new planting would not be sufficiently mature at this stage to provide the intended screening function, leaving the upper extent of buildings visible. Overall, this would result in a Short Term effect of Minor – Moderate Adverse.

4.3.24 At night proposed lighting would be visible in areas around the service yard and car park, with lighting in hotel room windows picking out the form of the building. This lighting will be partly screened by the new bund and retained vegetation along the western and southern boundaries, resulting in oblique fleeting views over moving car headlights and tail lights on the M40. There may also be a minor increase in sky glow. Overall, the night time effect would also be Minor – Moderate Adverse in the Short Term.

4.3.25 In the long term, following establishment of the landscape features, new woodland planting on the bund along the 10<sup>th</sup> Fairway would assist in softening and filtering oblique fleeting views of the Proposed Development, particularly in the summer months. Coniferous species are proposed within the broadleaved woodland mix, to reflect current planting elsewhere on the golf course, so the screening function would be enhanced in the winter months. The retained and supplementary planting along the western boundary and within the Northern Parkland would offer a robust backdrop to the new built form. The majority of proposed built form would be well screened in summer and heavily filtered in winter. The top extent of rooflines may remain visible, but would be seen in the context of the existing golf course club / hotel and associated car park. Overall, the Long Term effect would be Minor Adverse.

4.3.26 For the views on the A4095 overbridge (LVIA Viewpoint 2), existing vegetation along the west boundary of the Site would largely constrain views of construction activities and completed built form to their upper extents – seen over this existing vegetation on the skyline (as illustrated in the

photomontage at LVIA Appendix 13.8). During construction and on completion of the Proposed Development, the Short Term effect would be Minor Adverse.

- 4.3.27 In the long term, with establishment of the landscape proposals and, in particular, the maturing of existing vegetation on the west boundary of the Site (as illustrated in the photomontage at LVIA Appendix 13.8), views of the Proposed Development would be barely perceptible, with a Long Term effect of Neutral – Negligible.
- 4.3.28 From the M40, on the southbound carriageway, LVIA Appendix 13.9 Illustrative M40 Views (CD1-13) demonstrates that views of construction activity and the completed development would be largely screened, with only the very upper extent of cranes and completed built form visible above existing woodland along the west boundary of the Site. Retention and reinforcement of vegetation along this boundary would strengthen its screening function, particularly where existing woodland is less dense toward the northern boundary of the Site. The effects would be Minor Adverse during construction and on completion, reducing to Negligible in the Long Term.
- 4.3.29 From the M40, on the northbound carriageway, the LVIA Appendix 13.9 Illustrative M40 Views demonstrate that there would be direct but fleeting views of construction activities and partial and filtered views of emerging and completed built form, only seen on the section of the motorway from the Green Lane over-bridge to a point perpendicular to the southern boundary of the Site. This is due to the limited extent of existing vegetation to the east of the motorway in this area. The addition would alter a small proportion of the current view, set amongst retained mature vegetation and behind the existing barn style building associated with the BHGS. In general, there are views of various forms of development along the M40, including large industrial, distribution and retail warehouses, although these are limited in the section of the motorway in the vicinity of the Site. Given the fleeting nature and small proportion of the view affected, the Short Term effect would be Minor Adverse.
- 4.3.30 In the long term, with establishment of the landscape proposals (Year 15), new woodland planting along the southern boundary of the Site would be elevated on a large bund and would have

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matured sufficiently to be providing its intended screening function, significantly softening and filtering views of the Proposed Development from the motorway (see Rendered View for Viewpoint 4 at Appendix 13.8, albeit the impact of mitigation planting would be more effective from the M40, being seen from a lower level perspective than that on top of the Green Lane over-bridge). Combined with the maturing of existing vegetation along the west boundary of the Site, the Long Term effect would improve to become Negligible.

## 5. RESPONSE TO REASONS FOR REFUSAL

- 5.1.1 The Decision Notice 19/02550/F (CD3-1) issued by CDC provided six reasons for refusal, with one relating partly to landscape and visual matters, as it states:

*Reason 4*

*The development proposed, by virtue of its considerable size, scale and massing and its location in the open countryside beyond the built limits of the village of Chesterton, along with its institutional appearance, incongruous design, and associated levels of activity including regular comings and goings, will cause significant urbanisation and unacceptable harm to the character and appearance of the area, including the rural setting of the village and the amenities enjoyed by users of the public right of way, and would fail to reinforce local distinctiveness. The proposal is therefore contrary to Policies ESD13 and ESD15 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C8 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.*

- 5.1.2 Matters relating to the architectural appearance of the Proposed Development are addressed in detail by Nick Rayner in his Architectural Proof of Evidence.
- 5.1.3 Matters relating to the level of activity associated with the Proposed Development are addressed in detail by Philip Bell in his Highways and Transport Proof of Evidence.
- 5.1.4 The following focuses on the effects of the Proposed Development (in relation to the influence of its size, scale, massing, location and alleged extent of urbanisation) on the landscape character and views from and within the open countryside - along with the rural setting of the village and amenities enjoyed by users of public rights of way.
- 5.1.5 It must be noted that, although CDC policy defines the landscape of the Site and its surrounding context as 'open countryside', as referred to in the Reason for Refusal, the LVIA (CD1-13) and Section 2 of this evidence demonstrates that the landscape around the Site is clearly not of an open character.

**Alleged significant urbanisation and unacceptable harm to character and appearance of the area**

- 5.1.6 Whilst it is acknowledged that the Great Wolf Resort proposals require a suite of buildings, this does not mean that well-located buildings of the type proposed will result in urbanisation or be harmful. In accordance with site assessment undertaken as part of the LVIA, I consider that the Site and surrounding landscape provide a suitable location and have the capacity (in landscape and visual amenity terms) to accommodate the nature of development proposed, without resulting in any significant harm to the character and appearance of the surrounding context.
- 5.1.7 The LVIA (CD1-13), as summarised above, clearly demonstrates that dense vegetation already encloses the Site, providing a strong physical barrier and substantial containment from most directions. This is provided by:
- mature woodland within the Site along the west boundary and along other areas adjacent to the M40;
  - extensive woodland within Bignell Park directly north-east of the Site, including the broad strip of woodland adjacent to the north side of the A4095 (Chesterton Belt);
  - the eastern 9 holes of the golf course;
  - plantations and broad strips of woodland elsewhere in the surrounding landscape.
- 5.1.8 This substantial degree of enclosure would result in the majority of impacts from the Proposed Development only affecting the Site itself and areas in close proximity, none of which are designated in landscape terms.
- 5.1.9 A detailed understanding of the value of the landscape features on the Site has been obtained, informing a landscape-led approach to determine an acceptable location for the scale and mass of built form and area of car parking required by the proposed Great Wolf Resort. The early stages of the design process also identified where additional structural planting could be provided to reinforce the enclosure of the Site and screening of the resort into the long term.



5.1.10 The LVIA concluded that, given this extent of enclosure, the completed development would have a limited influence on the character of the local landscape surrounding the Site. Established woodland planting on the boundaries, 15 years after completion, would assimilate the Proposed Development into the surrounding landscape (as illustrated by the Photomontages included in Appendix 13.8 of the LVIA) and overall, the long-term effects were reported in the LVIA as Negligible – Neutral.

5.1.11 CDC accept this in paragraph 9.134 of the Committee Report (CD3-3), which states that:

*“Additional planting to the existing boundaries strengthens the existing screening and provides an additional buffer to the development as a whole.”*

5.1.12 CDC rightly raised no concern over the content of the LVIA and no objection to its conclusions, stating in paragraph 9.92 of the Committee Report (CD3-3):

*“The Council’s Landscape Officer confirms that the submitted LVIA is a comprehensive and competently written document that complies with the relevant guidelines for such documents and assessments. The Landscape Officer states that the site has a low landscape sensitivity to change, and a visual effect ranging from neutral to moderate adverse at year 0. On this basis there is no objection from the Landscape Officer relating to the impact of the development on the wider landscape character.”*

5.1.13 I consider this recognition by CDC means that the reason for refusal is inconsistent and not supported by the evidence. There is no proper basis for contending that the Proposed Development would result in *“significant urbanisation and unacceptable harm to the character and appearance of the area”*. This assertion is made in the face of the considered professional opinion of not just the LVIA author, but also Council’s own Landscape Officer, who noted that their opinion has been achieved *“by testing the LVIA”* (Committee Report paragraph 7.27) and is therefore not formed by just reiterating the conclusions of the LVIA without due consideration.

5.1.14 With regard to the assertion that associated levels of activity will provide an ‘urbanising’ influence on the character of the landscape and setting of the village, the Transport Assessment (CD1-24)

demonstrates what I would consider to be a low increase in traffic flow along the A4095 and limited queuing on the entrance into the Proposed Development during the operational stage. The increase in activity will have a negligible influence on the character of the surrounding landscape and the landscape setting of Chesterton village. These activities will not cause *“significant urbanisation and an unacceptable harm to the character and appearance of the area, including the rural setting of the village”*.

**Alleged failure to reinforce local distinctiveness**

- 5.1.15 The existing golf course is largely imperceptible from the surrounding landscape, over two thirds of which is comprised of heavily managed amenity grassland on the fairways, greens and tee boxes - 68% as reported in the Biodiversity Net Gain Assessment (CD2-1). Given the extent of enclosure to the Site, the main feature that contributes to the character of the surrounding landscape is the mature woodland along the west boundary with the M40. There are glimpsed views of the plantation woodland that lies toward the centre of the Site however, this is screened from most locations by other intervening vegetation.
- 5.1.16 As reported in the Arboricultural Impact Assessment (CD1-3), 205 of the total 220 arboricultural features on the Site are of low or very low quality, predominantly trees established as part of the golf course to delineate fairways. These trees are also largely imperceptible from the surrounding area and provide a negligible contribution to the character of the landscape.
- 5.1.17 As I have described at Section 3 above, the proposals provide a substantial improvement in high-quality landscape features, increasing the area of woodland on the Site by over 175% from 2.07ha to 3.67ha (the majority of which is located toward the perimeter of the Site, where it can provide the greatest degree of screening and would also provide the greatest contribution to the character of the surrounding landscape). Along with the wider landscape proposals, these woodlands would be established under the direction of a Landscape Maintenance & Management Plan (CD1-20) and in accordance with an Ecological Habitat Management and Monitoring Plan (CD2-2) to ensure it provides long-term benefits to the landscape and ecology of the Site and surrounding context.

5.1.18 As the largest of the structural landscape elements to be provided (with woodland areas generally maturing to heights of between 15 – 25 metres), these features have the scale and longevity to complement and enhance the surrounding landscape, contributing to the parkland character identified in OWLS and reinforcing its local distinctiveness. I therefore do not consider there to be any merit in this contention, that the Proposed Development would fail to reinforce local distinctiveness.

**Alleged impact on Rural Setting of the Village**

5.1.19 As outlined in the LVIA and under Section 2 above, Chesterton Village lies over 400 metres from the Site at its closest point, with the eastern 9 holes of the golf course and substantial vegetation within Bignell Park (including the Chesterton Belt) lying between the village and the Site.

5.1.20 The area of the village designated as a Conservation Area lies to its eastern side and displays a rural character, including the intimate setting of the landscape up to the Gagle Brook, east of the village.

5.1.21 The western part of the village is not designated and is comprised of 20<sup>th</sup> Century infill housing (with latter 21<sup>st</sup> Century housing at Maunde Close and Penrose Gardens), that presents much more of a sub-urban character, with varying architectural style, materiality and extensive use of non-native planting to front and rear gardens. The extent of mature vegetation between the designated and non-designated areas of the village (largely in gardens fronting onto Alcester Road) limit any degradation on areas that express a more rural character.

5.1.22 Given the extent of visual and physical separation between the rural areas of the Conservation Area, combined with the intervention of the more sub-urban character of the 20<sup>th</sup> & 21<sup>st</sup> Century additions to the village, I consider that there is no potential for the Proposed Development to harm the intimate rural setting of the Conservation Area or to provide a more urbanising impact on the, already sub-urban, character of the latter western extension to the village.

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**Alleged impact on Amenity of Users on Public Rights of Way**

- 5.1.23 As reported in the LVIA (CD1-13) and outlined under Section 2 above, there is no potential for material harm to the amenity of users on footpaths within 1 kilometre of the Site but beyond its immediate boundary, as a result of the substantial enclosure and sense of containment provided by existing vegetation on the Site boundaries and in the nearby landscape.
- 5.1.24 In which case, it is assumed that the alleged impact on the “*amenities enjoyed by users of the public right of way*” referred to in reason for refusal 4 is that of footpath 161/6/10, proposed for diversion as part of the development.
- 5.1.25 As outlined under Section 2 above, I consider footpath 161/6/10 to have limited amenity value as a result of:
- poor connectivity at its northern and southern extents (users must walk along the narrow grass verge or existing carriageway of the A4095 or Green Lane for a distance of over 400 metres at either end to meet the path);
  - the hazardous nature of the route as it crosses the golf course, requiring constant caution and awareness of golf activities, substantially reducing the sense of enjoyment along the route.
- 5.1.26 As a result, this footpath is seldom used, as demonstrated in the survey carried out by Motion around the August bank holiday weekend in 2018 (see Philip Bell’s Proof of Evidence) – where only the southern part of the path was used, from Green Lane to the BHGS by staff and its patrons.
- 5.1.27 As described in Philip Bell’s Proof of Evidence, the public accessibility to the Site and this footpath will be substantially improved through the provision of: a footway along Green Lane, connecting the southern end of the path to Chesterton Village; a footway / cycleway along the A4095, connecting the path to Chesterton Village; and, a footway along the A4095, connecting the path to footpath 161/11/10, to the north of the M40.

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- 5.1.28 In addition, the route proposed for diversion of footpath 161/6/10 (along the south-east boundary of the Site) would provide a broad green corridor with woodland planting, scattered trees, a pond enhanced with aquatic planting and areas of wildflower meadow. This would provide a much more relaxing and enjoyable route through the southern part of the Site, than the existing route through the golf course.
- 5.1.29 Woodland planting would be elevated on mounds, substantially screening and filtering views of the proposed Hotel and car park, with an acoustic fence screening any views where the green corridor narrows on approach to the A4095. Along with retention of existing trees and hedgerows along the route, which would contribute to its sense of maturity immediately on completion of the Proposed Development, this would limit views of the Hotel, car park and any other activities.
- 5.1.30 The public will also have access into the new Northern Parkland (which extends to over 5 hectares), accessible from the footway alongside the A4095, as a direct route from Chesterton village from the south or footpath 161/11/10 from the north, at the point where footpath 161/6/10 currently enters the northern part of the Site. This area will provide an attractive walk along a network of paths, weaving through the wet parkland setting with ponds, deciduous woodland and extensive wildflower meadow. The parkland provides:
- over 800 metres of hard surfaced pathways;
  - over 500 metres of mown grass pathways;
  - one large and three small picnic areas, set over mown grass providing space for informal recreation and play;
  - a number of benches set in intimate locations which, along with these picnic areas, allow for stopping, relaxing and enjoying the scenery;
  - a comprehensive network of signage posts and boards, providing information for the local community to learn about the habitats and species present and encouraged onto the Site as part of the habitat enhancement measures.

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5.1.31 I therefore consider that, in combination, these measures would provide the general public and local community with a substantially improved ability to access and enjoy the landscape of the Site, enhancing – not degrading, the amenity for users of the public footpath and other areas available for public access.

## 6. RESPONSE TO CHERWELL DISTRICT COUNCIL STATEMENT OF CASE

### Consideration of Environmental Statement

6.1.1 CDC note at paragraph 1.12 of their Statement of Case (CDC SoC) that:

*“The information contained in the Environmental Statement and the consultation responses received were taken fully into account in the Council’s consideration and determination of the application.”*

6.1.2 This statement is difficult to reconcile with what CDC stated in their Committee Report (CD3-3) that:

*“9.92 The Council’s Landscape Officer confirms that the submitted LVIA is a comprehensive and competently written document that complies with the relevant guidelines for such documents and assessments. The Landscape Officer states that the site has a low landscape sensitivity to change, and a visual effect ranging from neutral to moderate adverse at year 0. On this basis there is no objection from the Landscape Officer relating to the impact of the development on the wider landscape character.”*

*“9.134 In conclusion, the landscaping proposals are largely satisfactory. Additional planting to the existing boundaries strengthens the existing screening and provides an additional buffer visually to the development as a whole. The addition of coniferous trees to the southern boundary is welcome to provide stronger winter screening for the benefit of the existing residential properties there. Overall, there is no objection based upon the landscaping proposals.”*

6.1.3 The above professional judgment concurs with those reported in the LVIA that was submitted alongside the application for the Proposed Development.

6.1.4 It is also noted in the Committee Report (paragraph 7.27) that the Landscape Officer’s opinion has been achieved *“by testing the LVIA”* and is therefore not formed by reiterating the conclusions of the LVIA without due consideration.

- 6.1.5 The LVIA concludes that there would be no significant effects beyond the immediate vicinity of the Site (including to views or the landscape setting of Chesterton village), with only minor effects on the character of the local landscape during construction, reducing to negligible on completion of the development. It also concludes that the diversion of footpath 161/6/10 and public access to the Northern Parkland would provide a substantial improvement to public use of the Site over the current provision, promoting public accessibility and interaction with nature.
- 6.1.6 These conclusions cannot have been *“taken fully into account in the Council’s consideration and determination of the application”*, as Reason for Refusal 4 seems to ignore these conclusions by suggesting (without any analysis or evidence) that the proposal *“will cause significant urbanisation and unacceptable harm to the character and appearance of the area, including the rural setting of the village and the amenities enjoyed by users of the public right of way.”*

#### **Location within the Open Countryside**

- 6.1.7 Whilst it is noted that current CDC policy describes the Site as being located within ‘Open Countryside’, as set out above, Section 2 of this evidence demonstrates that the landscape around the Site is not of an open character.
- 6.1.8 CDC note in their SoC (paragraph 6.4) that the purpose of the Cherwell Local Plan Saved Policy C8 is to maintain the attractive, open, rural character of the countryside.
- 6.1.9 My proof of evidence demonstrates that the Site is largely enclosed and separated from the wider rural landscape context, mainly due to the extent of existing dense boundary vegetation and screening provided by strong areas of vegetation in the immediately surrounding landscape. This extent of structural vegetation and enclosure, whilst limiting the sense of ‘open character’ in this part of the landscape, also precludes the proposals from imposing on the rural character of the surrounding countryside. Therefore, the proposals do not conflict with the requirements of this policy.

#### **Influence on the character and appearance of the surrounding local rural area**

- 6.1.10 Under the heading of Reason for Refusal 2, regarding the sustainability of the location for the Proposed Development, the CDC SoC contends at paragraph 6.11 that the Proposed



Development will cause harm to the character and appearance of the surrounding local rural area.

My response to this allegation is outlined in Section 5 above in Response to Reasons for Refusal.

6.1.11 The CDC SoC makes reference to Saved Policy C28 and paragraph 170 of the NPPF, noting that *“planning decisions should recognise the intrinsic character and beauty of the countryside and should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.”* The LVIA (CD1-13) and my summary of the local context at Section 2 confirms that the Site and its immediate environs are not designated and this is not a valued landscape. Moreover, in Section 3, I have set out how the Proposed Development has been located and designed in specific response to a detailed understanding of the surrounding rural context, contributing to enhancement of the local landscape (through increasing the quantum of landscape features of value on the Site, with proposed increases in the area of woodland contributing to the wooded character of the local landscape). Nick Rayner sets out in his Architectural Proof of Evidence, how the built form has been designed to respond to the local vernacular, which would also contribute positively to local character where there are glimpses of parts of the proposed built form in close proximity to the Site.

6.1.12 The CDC SoC contends at paragraph 8.4 *“The Council will demonstrate that, whilst the wider landscape and visual impact of the proposed development may be limited, there would be a significant local impact in particular in terms of local character and appearance including along the tree-lined A4095 Bicester Road and B430 Oxford Road, the junction and the edge of settlement to Chesterton at Corner Cottage, which will be appreciated by local residents, walkers on the public footpath and drivers and will all be impacted by the development and activity associated with it.”* I have set out at Section 5, how the proposals would not impact on the character and appearance of the area or the rural setting of the village. LVIA Viewpoint 5 at its Appendix 13.4 (CD1-13) clearly shows that there would be no views of the proposals from the edge of Chesterton, with Viewpoints 1a and 14a demonstrating that substantial vegetation along the boundary of the A4095 would significantly limit views into the Site along this road, particularly when reinforced with the substantial tree, scrub and hedge planting proposed along this boundary of the Site. The B430 also lies approximately 1.3 kilometres to the west of the Site, with no

opportunity for views of the Proposed Development. As there are no views of the Proposed Development from the locations indicated, it appears that the alleged “*significant local impact*” refers to the impact from an increase in traffic flows as a result of the proposals. I have provided a response to this assertion under ‘Alleged significant urbanisation and unacceptable harm to character and appearance of the area’ in Section 5 above to demonstrate why no such effect will arise.

6.1.13 The CDC SoC makes reference to the built form proposed at paragraph 8.5, stating also that these buildings would be located “*on a site which is currently devoid of buildings or other structures.*” I have set out in Sections 2 & 3 above, how the Site has the capacity to accommodate the proposed built form, regardless of whether there are currently any buildings or other structures on the Site, as a result of the substantial enclosure provided by the landscape in this location.

6.1.14 The CDC SoC makes further reference to the other items referred to in their Reason for Refusal 4, which I have responded to in Section 5 above.

#### **Alleged impact on Middleton Stoney junction**

6.1.15 The CDC SoC makes reference at paragraph 8.9, to potential highway mitigation works and signage at the junction of Bicester Road, Heyford Road and the B430 Ardley Road in Middleton Stoney. CDC now appear to be alleging that these works “*would have an urbanising effect that would be harmful visually to the character and appearance of the village of Middleton Stoney at its crossroad junction and the surrounding buildings, some of which are designated or non-designated heritage assets, such as the Grade II listed Registered Park & Garden at Middleton Park and its Grade II listed gatehouse.*”

6.1.16 In response to this AOC Archaeology who authored Chapter 10 Archaeology and Cultural Heritage of the ES (CD1-13) were asked to consider the allegation outlined above. Their response is included in **Appendix C** of my Proof of Evidence for reference and demonstrates that there is no such harmful effect in heritage terms. I consider there is no basis that any such works would be harmful visually to the character and appearance of that area given the limited nature of the works to an existing junction and its context, as summarised below.

6.1.17 As Philip Bell sets out in his Transport Proof of Evidence, improvements to this junction are already approved as part of the consented development at Heyford Park Phase 1. These will provide additional right turning lanes to the junction, including the area of highway passing across the access into Middleton Park and the adjacent gatehouse, along with widening of the adjacent footway. Motion have proposed further improvements, to include further widening of the junction to its south-west and south-east sides.



**Aerial view of Middleton Stoney, with junction in centre of photograph**

6.1.18 The main part of the village lies along the B4030 Heyford Road to the north-west of this junction, beyond extensive woodland planting and a boundary wall on the edge of Middleton Park (enclosing the west side of the junction). There are no changes to the carriageway proposed along Heyford Road, with the main junction works screened by the woodland and wall. Therefore, there would be a very limited perception of the junction changes from this area of the village, if any.

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- 6.1.19 Part of the village extends north of the junction along the B430 Ardley Road, with substantial vegetation along property frontages limiting views toward the junction and Turney Group, who occupy a building next to Corner Cottage (adjacent to the junction) for commercial purposes. Right turning lanes into the B4030 Heyford and Bicester Road will be added by the approved Heyford Park Phase 1 works. The influence of the junction changes as a result of the Proposed Development would be limited to those in close proximity to the junction, with no influence on the rest of the village to the north along Ardley Road.
- 6.1.20 The remainder of the village largely lies along the B4030 Bicester Road to the east of the junction, along which there are also no substantial improvement works. The Heyford Park Phase 1 lane additions (to the southern arm of the junction) would be perceptible but any additional works as a result of the Proposed Development would be constrained to footway improvements to the north-east and south-east sides of the junction. These would not impose on the character of the village or views from this direction, and neither would the additional left turn lane to the west side of the junction's southern arm, resulting from the Proposed Development. Therefore, there would be no material change to the character of the village from this direction.
- 6.1.21 The majority of the improvements to the junction, as part of the Heyford Park Phase 1 works and minor additions as a result of the Proposed Development, lie to the south of the junction along the B430 Oxford Road. As reported in the AOC Archaeology note at **Appendix C**, there would be no material impacts on the setting of nearby heritage assets, including those of Middleton Park, nor the relationship of the parkland to the wider landscape – therefore, no harm is predicted. There are few properties to the south of the junction and there is substantial vegetation between the junction and these properties, with the vegetation also largely screening the junction from the surrounding landscape. Therefore, in this direction the effects of the junction improvements would also be negligible at most.
- 6.1.22 An existing sign lies approximately 200 metres to the south of the junction, informing drivers of the junction as they approach. This would remain unchanged as part of the Proposed Development. A further sign lies approximately 66 metres south of the junction, hidden from views

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east and west by the woodland on either side of the B430. This sign would be replaced as part of the Proposed Development, with the sign shown on Motion drawings 1803047-SK13 : New Sign Location and 1803047-S02 : Lane Dedication Sign (see Philip Bell's Proof of Evidence). This sign would continue to be well screened from the surrounding landscape and is far enough from the village to ensure any effect on the village or associated views would be negligible.

6.1.23 I therefore consider that the potential proposed junction improvement would not have the alleged urbanising effect, nor any material influence on: the landscape / townscape character of the village; views of the junction; or, on the landscape setting of the entrance into Middleton Park, beyond the effects that would result from the Heyford Park Phase 1 works.

## 7. RESPONSE TO PARISHES AGAINST WOLF STATEMENT OF CASE

### **Alleged impacts on the local landscape and character of the area**

7.1.1 The Parishes Against Wolf Statement of Case (PAW SoC) is described as covering 5 main areas for objection, the 3<sup>rd</sup> of which covers *“the likely impacts on the local landscape, and character, of the area.”* In general PAW’s more detailed description of this objection repeats the CDC Reason for Refusal 4, which is also referred to specifically in the PAW SoC, and other items raised in the CDC SoC. I have responded to these points specifically in Sections 5 & 6 above, so will not repeat here.

7.1.2 PAW has attached to their SoC the Chesterton Parish Council letter of objection dated 29<sup>th</sup> January 2020 (authored by Carter Jonas) and a supporting letter from Applied Landscape Design, the latter setting out detailed comments on the LVIA and landscape design for the Proposed Development. I have provided a response to these comments under the relevant heading below.

### **BMD Peer Review of Biodiversity Net Gain Assessment**

7.1.3 The 5<sup>th</sup> area of objection listed in the PAW SoC covers, what they consider as a *“failure to demonstrate compliance with national and local policies to protect and enhance biodiversity.”* This is not a reason for refusal and not a concern expressed by CDC. In response to this allegation, the BMD Ecology team has carried out a Peer Review of the Biodiversity Net Gain Assessment undertaken by WSP and submitted alongside the planning application. This Peer Review is set out in James Patmore’s Proof of Evidence.

### **Comments from Applied Landscape Design**

7.1.4 The PAW SoC contains a series of appendices, with Appendix A containing a letter from Chesterton Parish Council (authored by Peter Canavan of Carter Jonas) to Claire Whitehead on 29<sup>th</sup> January 2020, objecting to the Proposed Development. That letter contained a series of Annex documents, of which Annex C comprised a letter from Applied Landscape Design (ALD), who operate out of an office at Bignell Park Barns, in Bignell Park to the north of the Site.

7.1.5 ALD outlined in their letter that they were appointed by Chesterton Parish Council specifically to review the LVIA and the landscape proposals submitted as part of the application. The following outlines my response to the comments provided in the ALD letter.

***ALD Review of Landscape & Visual Impact Assessment (LVIA)***

7.1.6 ALD start by noting at paragraph 1.4 that “ALD are professional consultants complying with the code of conduct and professional guidelines associated with the preparation of Landscape and Visual Impact Assessments”, adding at paragraph 1.6 that “ALD make note that in our professional consultancy capacity, we are involved in projects throughout the Oxfordshire and Cherwell District Council Areas – with LVIA’s and Landscape information being prepared in support of a range of project types.” In their professional capacity therefore, ALD should be aware of the rigorous process required by the current guidance of GLVIA3 for assessing the likely landscape and visual effect of a development proposal. In that regard, ALD should also be aware that the judgements on potential impacts to landscape and visual amenity that they have expressed in their letter are subjective and do not follow the rigorous assessment process required by GLVIA3. Moreover, ALD also claim at paragraph 2.6 that “views around the site are however reported as being an assessment levels lower than ALD would expect.” ALD then go on to provide a subjective ‘guess’ at what they think some of the effects may be to the landscape and visual amenity, without following the required comprehensive, rigorous and transparent assessment process. This subjective approach does not comply with the requirements of professional guidelines and is likely to be misleading to their client and any wider audience of their opinions, given that professional guidance.

7.1.7 ALD assert at paragraph 2.2 that:

*“the sheer size and massing of the proposed development means that it does not comply with the following statements extracted from Planning Policy ESD13:*

*‘Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape cannot be avoided’*

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*And 'proposals will not be permitted if they would cause undue visual intrusion into the open countryside, cause undue harm to natural features, be inconsistent with local character, harm the setting of settlements, or harm the historic value of the landscape'.*

To infer that the size or massing of any development automatically conflicts with a policy, without undue consideration of the landscape and visual context or the capacity of this context to accommodate the change proposed, is completely unfounded and misguided. As outlined under Section 2 above, the Site is substantially enclosed by extensive woodland and tree vegetation, facilitating the capacity to accommodate the scale and mass of the Proposed Development. As outlined under Section 3 above, a rigorous design process was followed to maximise the benefit from this extensive enclosure, with further mitigation minimising any effect of the development on the landscape and visual context. Overall, the measures described in Section 3, along with the 'context responsive architectural design' undertaken by EPR, ensures that the proposals would comply with these policy requirements.

7.1.8 ALD allege that the LVIA was carried out in accordance with, now superseded, 2011 guidelines. This statement is simply incorrect. As noted in the LVIA Methodology at Appendix 13.1 (CD1-13), paragraph A.2.1, the LVIA is carried out in accordance with the current Guidelines for Landscape & Visual Impact Assessment, Third Edition (GLVIA3), 2013 (LI & IEMA), with photographs and AVRs (Accurate Visual Representations - wirelines and photomontages) undertaken in accordance with Landscape Institute Technical Guidance Note 06/19, Visual Representation of Development Proposals (2019) (TN 06/19).

7.1.9 Furthermore, this is acknowledged by CDC in the Committee Report (CD3-3), which states:

*"9.92 The Council's Landscape Officer confirms that the submitted LVIA is a comprehensive and competently written document that complies with the relevant guidelines for such documents and assessments."*

7.1.10 ALD then seek to raise concerns over the scoping process and whether the Landscape Officer assisted in defining the receptors for the LVIA, along with querying the location of various



viewpoints and AVRs used to inform the LVIA. As I have outlined in Sections 1 & 2 above, CDC were consulted as part of the EIA Scoping process and met with me and the project team during a number of Pre-Application meetings, with extensive discussions to determine the suitable location of viewpoint photographs and AVRs to assist CDC in determining the planning application.

- 7.1.11 As part of the above process, CDC's Landscape Officer was integral in the selection of viewpoints (including those required for AVRs included in LVIA Appendices 13.8 and 13.9 (CD1-13)). A number of viewpoints were specifically requested by the Landscape Officer, including Viewpoints 13, 14b, 16, 17 & 18 (queried by ALD as private locations). BMD sought permission from relevant landowners to obtain photographs from these locations, with photographs included at LVIA Appendix 13.4 where access was granted.
- 7.1.12 ALD has also included additional photographs within their letter from locations adjacent to the west boundary of the eastern 9 holes of the golf course (ALD photos A & B), at the entrance to the allotments and at the junction into the recent residential development at Penrose Gardens. As can be seen on the aerial photograph below, there is a broad swathe of woodland along the east boundary of the existing golf course, with further vegetation between the fairways and the built form of the BHGS between these viewpoints and the Site. Therefore, there would be no views of the proposals from these locations.



**Aerial photograph of eastern 9 holes, with allotments & new housing on Penrose Gardens to the east**

7.1.13 ALD make a number of comments relating to the timing that viewpoint photography was undertaken, suggesting that the photography used to support the LVIA does not comply with best practice for assessing landscape impact. This is incorrect. The photographs were taken in accordance with the requirements of the guidance noted above, so do comply with current best practice guidance. The timing of photography was governed by the ongoing discussions with CDC regarding the location of viewpoints (with photography taken as soon as possible after additional viewpoints were requested). However, the LVIA makes judgements on the likely effects in both summer and winter as required under the Guidelines. In any event, additional photographs have been taken in December 2020, when the vast majority of leaves have fallen from trees and scrub, these are included at **Appendix A** of this proof of evidence.

7.1.14 ALD suggest that various photographs do not indicate likely change to boundary conditions as a result of the Proposed Development, with specific reference to changes in boundary vegetation along the A4095. Again, this is incorrect. The baseline photography complies with the

requirements of GLVIA3 and LI TN 06/19. There is no requirement to represent change to all viewpoints (and changes are represented from the locations that were requested by CDC) but any likely changes to a view are clearly described in the LVIA, including the influence of works proposed to the A4095. For these views, given the extent of existing vegetation to be retained along the boundary with the A4095 (see Arboricultural Impact Assessment (CD1-3)) and extent of additional planting proposed along this boundary and within the Northern Parkland (see Landscape General Arrangement (CD1-19)), the proposed buildings and car parking would be heavily filtered in winter views and screened in summer.

- 7.1.15 ALD suggest that there are existing views of the golf course along much of the length of the A4095 during the winter which would be replaced with views in toward the car park and built form beyond. Viewpoints 1a and 14a at **Appendix A** of this proof of evidence show views directly toward this boundary and along the carriageway of the A4095 in mid-December 2020, with Viewpoint 14a located on the exit from Bignell Park at the junction with the A4095. Views into the golf course are heavily filtered looking directly into the Site and most people viewing from this boundary will be located in vehicles, travelling along the road, where the line of vegetation along the road becomes 'layered', further inhibiting oblique views into the Site. Inevitably, there will currently be occasional gaps in the vegetation; however, these will be enclosed further by the landscaping proposed along this boundary, which includes a dense species-rich hedgerow on the edge of the car park. This will substantially inhibit views of the car park which, when combined with the extensive tree planting proposed between the buildings and A4095, would largely preclude or heavily filter any views of built form.
- 7.1.16 ALD purport to raise concerns over the accuracy of a number of wireframes included in LVIA Appendix 13.8, particularly Viewpoints 1a and 5. There is no basis for such concerns. The AVRs included in Appendix 13.8 were prepared independently by Vista3D. Their Methodology at the front of their document clearly states how their images have been produced and the standards to which they conform. Vista3D confirm that the position of the development from the various

viewpoints would be as illustrated in their document. This methodology and the resultant wireframes were accepted by CDC.

7.1.17 ALD also sought to make a number of observations with regard to individual viewpoints:

- Viewpoint 1a : ALD noted this is the access point to the public footpath (PRoW) but suggests that the LVIA only notes receptors at this location as road users. In fact the influence on users of the PRoW was assessed appropriately in the LVIA by Viewpoint 1b.
- Viewpoint 1a Wireframe : ALD claim that the removal of existing vegetation along the boundary of the A4095 should be represented in this wireframe. There is no basis for this and it was not requested by CDC. A verifiable photomontage from this location was not considered necessary or requested by CDC from this location and I do not consider it to be necessary to make an assessment.
- Viewpoints 1b & 3 : ALD seek to raise concerns that no AVRs are provided to indicate the built form / massing from these locations. I can confirm that AVRs were considered from these locations and discussed with CDC during the EIA scoping process and in Pre-Application discussions. Once again, CDC's Landscape Officer confirmed that a photomontage or wireframe from these locations was not required as part of the application, as it was clear that there would be a range of views of the proposals from various locations within the Site.
- Viewpoint 2 : ALD seek to query the position of the western site boundary. I can confirm that, with reference to the Year 1 & 15 views in LVIA Appendix 13.8 (CD1-13), the highway boundary is defined by the existing post and rail fence at the top of the grass bank to the east side of the M40. The variation in planting shown between Year 1 & 15 behind this fence is proposed and would be controlled by Great Lakes UK Ltd, ensuring its establishment and maturity. ALD also seek to raise a concern that this viewpoint illustrates *"a long flat linear structure evident above the tree tops"*. I do not consider this concern to be justified. Given the low sensitivity of views for pedestrians or from vehicles

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passing over the M40 and with views of the scheme at this point, the LVIA rightly describes this as a Minor Adverse effect in the short term, reducing to Negligible / Neutral in the long term (as mature woodland vegetation would largely screen views of the development).

- Viewpoint 4 : Aside from the views within and immediately adjacent to the Site, this is the most open view of the proposals (so supporting the points already made as to the very limited effects of the development and its well-screened nature). There is an elevated nature to the vantage point. However, views from this position would only be glimpsed briefly by passengers of vehicles passing over the M40, with effects to this view considered to be Minor - Moderate Adverse in the short term and reducing to Minor Adverse in the long term. This briefly glimpsed view is not considered significantly to influence the perception of the rural landscape character of the area, particularly in the context of the busy M40 corridor at this point.
- Viewpoint 5 : ALD refer to vegetation removal alongside the boundary of the eastern half of the golf course, as a result of localised utilities works, noting that “*change can and does happen*”. An LVIA cannot consider the potential for a change in effects as a result of unrelated and unforeseen circumstances and does not need to do so. Change can come in the form of removal or addition of planting. Removal of vegetation along this boundary would have no effect on the findings of the LVIA, due to the extent of significant areas of vegetation within the eastern 9 holes of the golf course.
- Viewpoint 10 : ALD has made an assumption of the purpose of this viewpoint. I can confirm that Viewpoint 10 was recorded to represent the view from the footpath to the south east of the Site, on the closest edge of the Alchester Roman Site Scheduled Monument. This confirms that there are no visual effects as a result of the Proposed Development on views from this location.

- Views from the M40 : ALD sought to query the timing of the photographs included in LVIA Appendix 13.9 (CD1-13). These views were requested by Highways England, to understand the sequential nature of the view from the M40. The locations were agreed with CDC and Highways England. As Highways England could not grant access to take verifiable photos from the M40, they agreed that Google Street View images would be acceptable. The method applied by Vista3D to produce these 'illustrative' images is set out in the introduction to their document at LVIA Appendix 13.9.
- Views North from the M40 : ALD also seek to raise concerns over the 'colours' of the slides and character of other parts of the development likely to be seen from the M40, including their influence on this 'green corridor'. This change however, is considered by the LVIA, particularly the scale and mass of the building and the influence of the slides. The mitigation proposals (including new woodland elevated on mounding along the southern boundary of the Site) would assist in significantly softening views of the proposals from these low value views to the south-west of the site, largely reinstating the 'green corridor' along the busy M40.
- Views South from the M40 : ALD seek to raise concerns over the loss of vegetation along the west boundary with the M40 and the potential to open up views of the development, including the loss of existing Leyland cypress within the Site. A broad swathe of existing woodland (including the evergreen Leyland cypress trees noted by ALD) would be retained and augmented by further woodland planting as illustrated on the Landscape General Arrangement drawings (CD1-19) and Illustrative Landscape Masterplan included at **Appendix B** of this proof of evidence. This would establish a woodland edge ranging from 18 – 35 metres in width between the M40 boundary and proposed built form, ensuring the proposals would be screened in the long term. Leyland cypress is known to live for over 100 years and those currently present on the Site are young. With the establishment of extensive woodland and tree cover within the Northern Parkland, by the time the Leyland cypress trees were lost by their mature age, there would be a negligible

effect on these views, as the broad swathe of woodland would then be providing the required screening function.

7.1.18 ALD note that they have not analysed each and every part of the LVIA that informed the definition of impact judgements however, they make a sweeping statement in paragraph 2.6 that they consider the judgements reported by the LVIA are lower than they would expect. I reiterate that CDC's Landscape Officer concurs with the judgements reported in the LVIA, and that his opinion has been achieved "*by testing the LVIA*" (paragraph 7.27 of the Committee Report (CD3-3)) and is therefore not formed by reiterating the conclusions of the LVIA without due consideration.

7.1.19 I would also note that the LVIA must be an impartial and proportionate assessment that considers:

- the sensitivity of the landscape and views with potential to be effected (none of which are designated, are considered to be of local importance at most, none are considered to be of national or regional importance - with a substantial degree of enclosure to the site, as acknowledged by CDC in their Committee Report);
- the nature of the proposals (the effects from which are considered to be local at most, again – particularly given the extent of enclosure in the landscape around the site).

7.1.20 ALD's conclusions are not considered to be either impartial or proportionate, nor are they based on a rigorous assessment as required by GVIA3.

7.1.21 ALD also sought to raise the following concerns with LVIA judgements:

#### Construction Phase

- Change to landscape character at Site level : ALD have simply asserted that these effects would be Major Adverse, but there is no proper basis for this assertion. As noted above, the LVIA considers the value of the landscape features being lost - balanced against those being retained. The CDC Landscape Officer acknowledged that they consider the landscape is of low sensitivity, which is largely due to the managed nature of the existing golf course. As described under Section 3 above, the most valuable features have been

identified for retention, as illustrated on the Landscape General Arrangement Plans (CD1-19). A comprehensive Construction Environmental Management Plan would be put in place to ensure protection of retained features including woodland, trees, grassland and waterbodies. Therefore, this unjustified assertion by ALD is incorrect and inappropriate.

- Change to local landscape character : ALD have asserted that these effects would be Major Adverse. As reported in the LVIA, the influence of the proposals on local landscape character would be limited by the substantial extent of enclosure to the Site, with most areas of the local landscape remaining unaffected. Therefore, this assertion by ALD is incorrect and inappropriate.

#### Operational Phase

- Change to Viewpoint 4 : ALD have asserted that these effects would be Moderate – Major Adverse. As reported in the LVIA (Appendix 13.6: Schedule of Likely Visual Effects), this view is considered to be of low value and is heavily influenced by the detracting features of the M40, which reduces the overall susceptibility, sensitivity and effect of the Proposed Development on the view. Views from this location would be fleeting for those in vehicles and pedestrians are unlikely to be focussing on the landscape, as outlined in Section 4 above. This fleeting glimpse of the proposal is disconnected from and would not influence the perception of the landscape setting to the Chesterton settlement area, particularly in the long term once woodland has established on the south boundary bund. Therefore, this assertion by ALD is incorrect and inappropriate.
- Change to various other viewpoints : ALD contend that the influence of the building, car park, lighting and vegetation removal are missing from the LVIA. This statement by ALD is incorrect. The LVIA includes an assessment of visual effects in both the summer and winter, at night time and day time (see LVIA Appendix 13.6 and table 13.11 for night time effects). It reports that the vegetation alongside the A4095 would allow for filtered views into the site (see LVIA paragraph 13.5.10), opening up to allow brief direct glimpsed views



where vegetation has been removed to facilitate entrance points (road and PRoW) into the Site. The LVIA also makes reference to and considers the influence of car parking and lighting on views, including those of the adjacent PRoW, residential properties and the A4095, with increased planting along the boundaries and trees / hedges within the car park considered sufficient to reduce views of cars across the car park and trees within the car park / along the hotel frontage sufficient to substantially soften views of proposed built form in both the day and night time views.

7.1.22 ALD conclude this section of their review by making a high-level assertion (without a proportional in-depth assessment as required by the current professional guidance of GLVIA3) that a development of this scale, with this amount of car parking and loss of landscape, is considered to be of significant impact. This is simply not the case. BMD have undertaken a comprehensive assessment of the likely impact on the landscape and views - this is reported in the LVIA. The CDC Landscape Officer has acknowledged that they consider this to be a comprehensive and competently written assessment that complies with current guidelines.

7.1.23 In summary, ALD's assertions are based on a failure to carry out an objective and rigorous assessment as required by GLVIA3. Therefore, I consider that there is no sound basis for their subjective opinions or conclusions.

#### ***ALD Review of Landscape Proposals***

7.1.24 ALD begins by making a further assertion that the development as a whole would “*create a significant visual intrusion, reduces the landscape area, and erodes the feeling of ‘open countryside’.*” In fact the LVIA reports a rigorous assessment that clearly outlines the limited effects on the landscape and views - particularly given the degree of enclosure to the Site afforded by existing vegetation to be retained within the Site, extensive areas of woodland and trees in the immediately surrounding landscape (particularly in Bignell Park, where ALD are located and to the eastern 9 holes of the golf course, located between the Site and Chesterton village) and the extent of enhancement that would be provided by extensive additional planting. The LVIA reports,

and my evidence demonstrates, that the effects would be principally to the Site itself and its immediate vicinity, with limited influence on the local landscape or any and visual intrusion. I have noted above that the landscape is not of an 'open' character in the vicinity of the Site, as a result of the substantial woodland and tree cover already described (and illustrated on the diagram at Section 2.3 above) however, the rural character would remain unaffected in the vast majority of areas of the landscape surrounding the Site. Therefore, the proposals would not result in the effects listed by ALD in their paragraph 3.1.

7.1.25 ALD also seek to raise queries regarding the proposed realignment of footpath 161/6/10, suggesting this is not clear on the Landscape General Arrangement Plans. ALD make confused assumptions regarding its proposed location and resultant suitability, also suggesting that the proposed alignment has not been considered in the LVIA or in the context of the landscape proposals. As I have described in Section 2.5 above and as outlined in Philip Bell's Proof of Evidence, the existing public footpath is currently seldom used, which I consider to be due to its lack connectivity to the wider PRow network at the footpath's northern and southern extent and its current alignment across the existing golf course. The alignment of the proposed footpath diversion is clearly illustrated in the Design & Access Statement at Section 5.5.3 (CD1-7). The footpath would be diverted through the landscape corridor along the southern boundary of the Site as described in Section 3 above. Permissive access would be afforded to the public into the northern part of the Site, via the existing northern footpath access point, providing extensive amenity use of the Northern Parkland. A footway would be provided alongside the A4095 to provide a safe link between the exit point of the diverted footpath at the A4095 and the entrance into the Northern Parkland, along with connectivity from Chesterton village and footpath 161/11/10 to the north. Combined, these proposals are considered to provide a substantial enhancement over the existing situation, as reported in the LVIA and summarised in Section 5 above.

7.1.26 ALD also seek to raise concern over the level of noise from the M40 and its influence on the amenity value of the paths through the Northern Parkland. Of course, the amenity value in the

proposed Northern Parkland with regard to the influence of the M40 will not be changed in respect of the influence of the motorway noise on users of the existing golf course or footpath 161/6/10.

7.1.27 ALD also seek to raise a concern that “*Very few existing trees are indicated to be retained within the site*” suggesting that they are drawn “*with no use of topographic survey information*” and that the “*Existing landscape to be retained particularly along boundaries, including the motorway boundary, is unclear*”. I do not consider there to be any merit in these points. Extensive areas of woodland and trees are proposed for retention as part of the development, particularly along the boundaries and within the large area proposed for the Northern Parkland. The footprint of these areas has been drawn based on a Topographical Survey, Arboricultural Survey from the Arboricultural Impact Assessment (CD1-3) and current aerial photography of the site - ensuring accuracy and viability of tree stock to be retained. These areas are clearly illustrated on the Landscape General Arrangement (CD1-19), Planting Plans (CD1-19) and Arboricultural Impact Assessment plans (CD1-3) (which also illustrates root protection areas, the identification of which was queried by ALD). These were all submitted as part of the planning application. All areas within the red line boundary are within the Site, so would be retained and established by Great Lakes UK Ltd in the long term as part of the proposals. Areas alongside the M40 are also indicated but are not considered necessary to achieve the mitigation required by the LVIA.

7.1.28 Being located at Bignell Park Barns, off the A4095 to the north east of the site, ALD query the configuration of the access proposals from the A4095 into the Site and their influence on Site boundary vegetation. The road layout is overlaid onto, and existing vegetation to be retained is shown clearly on, the Landscape General Arrangement Plans (CD1-19), with the extent of vegetation to be removed to accommodate the entrance shown on the drawings included in the Arboricultural Impact Assessment (CD1-3).

7.1.29 ALD also seek to query the suitability of single species beech hedges, and concern over the use of flush kerbs that allow car park surface water runoff into soils below planting. In fact, native planting is proposed along the boundaries of the Site, including species-rich hedgerows proposed along the east and southern boundaries, maximising contributions to biodiversity and influence

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on landscape character. Single species beech hedges are only proposed in the car park, as a formal feature largely only visible within the boundaries of the Site - albeit remaining native (beech is a species native to the UK). This approach was agreed with the CDC Landscape Officer. Porous paving is proposed in the car park, through which surface water runoff and any associated pollutants is designed to permeate. Excess surface water runoff would only spill over into soils below hedges and car park planting during extreme heavy rain events – in which case, the excessive volumes of water would significantly dilute any salt or contaminants washed from the car park surface into the adjacent soils, resulting in a negligible effect.

- 7.1.30 ALD also seek to raise a concern over the suitability of earth bunds along the southern boundaries of the Site, their potential to influence surrounding landscape character and the sustainability of woodland planting on these bunds. In reality, the current topography of the golf course is already uncharacteristic of the surrounding area, with bunkers, elevated greens and tee boxes forming un-natural features in this heavily manicured landscape. Nonetheless, given the extensive enclosure to the Site, this existing topography and manicured character does little to influence the character of the surrounding landscape. The proposed mounding is limited to the southern boundary of the Site, intended to elevate woodland planting - enhancing its effect as mitigation. This woodland planting would also begin to screen views of the mounding from the 5<sup>th</sup> year of establishment, with the mounding only likely to be perceptible from close proximity. Given the existing degree of enclosure to the Site, this change in topography will also have very little influence on the character of the surrounding landscape, if any. Mounding is commonly used to successfully enhance landscape mitigation on a broad range of developments across the country, with woodland and grassland vegetation successfully establishing on the steep slopes of these earthworks. Ground conditions created on these mounds would be controlled through rigorous soil management implemented during the construction phase of the scheme, to ensure successful establishment of the woodland and grassland vegetation proposed.
- 7.1.31 ALD also refer to consideration of holistic proposals with regard to creation of new wildlife ponds and preceding activities. The ecological mitigation proposals were outlined in the Ecology chapter

of the ES (CD1-13) and are not covered in this landscape proof of evidence but dealt with by Mr Patmore. I can confirm that landscape and ecological management and monitoring plans were submitted as part of the application (in the form of the Landscape Maintenance & Management Plan (CD1-20) and Habitat Management & Monitoring Plan (CD2-2)). These documents were developed as part of a well coordinated and holistic design approach, the implementation of which would ensure successful enhancement of the landscape to maximise biodiversity and amenity value, including the establishment and enhancement of an extensive network of wildlife ponds.

7.1.32 With regard to tree planting species, ALD appear to raise a concern over the use of oak, willow, rowan and whitebeam – along with suggestions that woodland mixes should be native. The species specified were agreed in consultation with the CDC Landscape Officer, who liaised with the CDC Tree Officer, and the project ecologist. I have the following response to the comments raised by ALD:

- Oak : ALD suggested this species should be avoided at this time, due to the potential for spread of Oak Processionary Moth. Oak is one of the most important species in the UK - in landscape character, biodiversity and cultural terms - and current biosecurity concerns can be overcome to ensure its use on this scheme. Biosecurity measures and guidance from the Horticultural Trades Association (HTA), Landscape Institute, Forestry Commission, DEFRA (Department for Environment, Food & Rural Affairs) and other relevant organisations would be followed as part of the Construction Environmental Management Plan for the supply and implementation of the landscape on the scheme, to limit any risk associated with biosecurity concerns such as Oak Processionary Moth. Supply of stock grown in the UK, from local provenance seed, would mitigate current concerns.
- Willow : ALD appear to raise concern regarding the suitable location of these species. I can confirm that various willow species have been specified following consideration of many relevant issues, including the relevant siting to ensure they do not cause negative effects on buildings / foundations, utilities and water holding areas.

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- Sorbus species : ALD appear to raise concern over the distribution of Sorbus species as part of the landscape proposals. As noted above, the species mix has been developed in consultation with the CDC Landscape Officer and the project ecologist. Specific quantities of each species and distribution across the scheme would be determined at the detailed design stages if the development is approved, with CDC remaining involved through the condition discharge process.
  - Native Species : ALD noted all species on mounds, in woodlands and in hedgerows should be native and as currently found on Site. I can confirm that species are specified as native for woodland and hedgerows, supplemented with evergreen species reflecting those already present on the golf course. Woodland would be set out using the matrices provided in the Design & Access Statement (CD1-7) - to assist with their sustainable long-term management. Hedgerows would comprise a species-rich mix that maximises their contribution to Biodiversity Net Gain on the Site.
  - Entrance Boulevard Planting : ALD query the use of Elm or Pin Oak as suitable species for the boulevard trees, also suggesting suitably large stock may not be available. A disease resistant form of Elm was requested by the project ecologist. BMD have used Ulmus 'New Horizon' successfully on a number of large projects and have been advised by landscape contractors we work with extensively, that the large stock specified for the Proposed Development is likely to be available. The Forestry Commission and Landscape Institute also advise that variants on native species need to be considered for climate change resilience. I consider the use of Ulmus 'New Horizon' or, as an alternative, Quercus palustris (pin oak) will provide a strong entrance avenue whilst remaining sympathetic to the character of the wider landscape. This can be reconsidered at a later stage if stock availability becomes an issue and a suitable alternative agreed with CDC.

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**Conclusion on response to ALD comments**

- 7.1.33 As noted above, the LVIA has been carried out in accordance with the current guidelines of GLVIA3 and TN 06/19. This has been acknowledged by the CDC Landscape Officer, who has confirmed their opinion that *“the submitted LVIA is a comprehensive and competently written document that complies with the relevant guidelines for such documents and assessments.”*
- 7.1.34 ALD assert that *“the impact both visually and in terms of change to the landscape character, is considered significant and a development of such a scale, footprint and massing is not commensurate with a site of this nature in this location.”* This judgement is incorrect, unfounded and inappropriate - it is based on assumptions and subjective opinions, made without application of a rigorous LVIA assessment, as required by GLVIA3 or due consideration of the landscape and visual context or capacity of the Site to accommodate such a development.
- 7.1.35 It follows therefore that I consider the ALD judgement of the project being considered contrary to policies ESD13: Local Landscape Protection and Enhancement; and, ESD 15: The Character of the Built and Historic Environment – is also unfounded. The LVIA and supporting landscape proposals demonstrate that appropriate mitigation can be provided to remove any significant effects on the landscape and views and, the LVIA demonstrates that the influence of the development would be to the Site itself and its immediate environs, with limited or no influence to the wider landscape and views in the direction of the Site. There would also be no undue harm on the setting of settlements or any landscapes of historic value.

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## 8. SUMMARY & CONCLUSION

8.1.1 My evidence summarises the comprehensive LVIA that was undertaken as part of the design process and EIA to:

- identify the capacity of the Site to accommodate the nature of development proposed;
- inform a landscape-led design solution for the Proposed Development, based on identification of features of value on the Site and with consideration of the surrounding landscape and visual context;
- identify mitigation required to minimise any landscape & visual effects;
- report on the likely impacts and effects of the Proposed Development.

8.1.2 My evidence also summarises the comprehensive consultation undertaken with CDC to:

- agree the scope of the LVIA and location of photographs and AVRs required to inform the assessment;
- enable input and guidance on the design of the proposals, including massing, scale and detailing of built form in response to the landscape and context of the Site, along with input into the comprehensive set of landscape proposals.

8.1.3 Although defined in local policy as ‘open countryside’, my evidence demonstrates that the landscape surrounding the Site is not ‘open’ and the Site is currently afforded an extensive degree of containment, as reported in the LVIA and acknowledged by the CDC Landscape Officer, as a result of:

- its well-established boundary vegetation;
- the well wooded landscape to north and east of Site;
- the well vegetated and wooded areas of the eastern 9 holes of the golf course and relatively flat local topography.

This precludes visual interaction with the settlements of Chesterton, Little Chesterton and most residential properties or areas of public access. It also substantially impedes influence on the surrounding landscape, beyond the immediate vicinity of the Site.



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- 8.1.4 I have demonstrated that the likely effects of the Proposed Development would be largely constrained to the Site itself and areas of the landscape and viewpoints in close proximity, with the latter limited to the two adjacent residential properties of Vicarage Farm and Stableford House, footpath 161/6/10 that runs through the Site and the existing BHGS, albeit mitigation would substantially reduce these effects in the long term. All other landscape and visual effects would be limited or precluded by the extensive containment of the Site.
- 8.1.5 My evidence demonstrates that there would be no significant effects on the character and landscape setting of the Chesterton Conservation Area or the wider village, nor would there be any significant effects on any heritage assets or designated features.
- 8.1.6 My evidence notes that the CDC Landscape Officer considered that the LVIA is comprehensive, competently written and complies with current standards and guidance, and that the officer tested and concurred with the judgements of the LVIA (CD3-3 Committee Report paragraphs 9.92 & 7.27).
- 8.1.7 With regard to the impact on the residential amenity of the two adjacent properties of Vicarage Farm and Stableford House, CDC reported their Landscape Officer considered that this would not be significant in terms of impacting on light, privacy, overlooking or the building itself being overbearing, concluding that *“there is no sustainable reason for refusal on this basis.”* (CD3-3 paragraph 9.138).
- 8.1.8 My evidence sets out how the landscape-led design approach has enabled retention of the most valuable existing landscape features and integration within an extensive green infrastructure strategy for the Site. This has enabled:
- retention of the cluster of ponds in the northern third of the Site, contributing to the character of the Northern Parkland and enhancement of ecological habitat;
  - retention of as much woodland, trees and boundary vegetation as possible, providing a mature setting to the development, immediately on completion;

- a substantial increase in high quality landscape features within the Site boundary enhancing the ecological value of the Site into the long term, and contributing positively to the character of the surrounding landscape.

This replaces what is currently a man-made and heavily manicured landscape of the golf course, comprising:

- 68% coverage with low value amenity grassland of the fairways, tees and greens (reported in the Biodiversity Net Gain Assessment (CD2-1));
- 205 of a total 220 arboricultural features on the Site are of low or very low quality (reported in the Arboricultural Impact Assessment (CD1-3)).

8.1.9 My evidence demonstrates how the landscape proposals would be deliverable and sustainable in the long term, subject to compliance with the submitted Landscape Maintenance & Management Plan (CD1-20) and Habitat Management & Monitoring Plan (CD2-2).

8.1.10 CDC reported that their Landscape Officer was content with the landscape proposals, concluding that *“there is no objection based upon the landscape proposals.”* (CD3-3 paragraph 9.134)

8.1.11 My evidence also demonstrates how the Proposed Development would substantially increase the public access to and amenity value of the Site, with access to a new parkland of over 5 hectares in area and containing a range of amenity features, along with diversion of the existing public footpath (which is currently seldom used and poorly connected) into a verdant tranquil and wooded setting.

8.1.12 I have responded to the landscape related Reasons for Refusal, the CDC Statement of Case and the PAW Statement of Case, and demonstrated that:

- the Site has the landscape and visual capacity to accommodate the nature of development proposed, particularly given the substantial extent of existing landscape enclosure, without resulting in significant adverse effects to the character of the landscape - and so it is irrelevant that the Site is currently devoid of buildings or other structures;

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- the reason for refusal on landscape grounds is unsubstantiated, not supported by evidence and inconsistent with the considered professional opinion of the LVIA author and CDC's own Landscape Officer;
  - CDC have not taken the conclusions of the LVIA or their Landscape Officer into account in the Council's consideration and determination of the application;
  - the comments and judgements set out by ALD in support of the Chesterton Parish Council objection are unfounded and based on assumptions and subjective opinions, made without application of an objective, transparent and rigorous assessment;
  - the level of activity that would result from the Proposed Development, as identified in the Transport Assessment (CD1-24) and Philip Bell's Proof of Evidence, and the influence of the built form and infrastructure associated with the Proposed Development, would not result in significant urbanisation or unacceptable harm to the character and appearance of the area, including the rural setting of any nearby villages;
  - the proposals would provide the general public and local community with a substantially improved ability to access and enjoy the landscape of the Site, enhancing - not degrading, the amenity for users of the existing footpath 161/6/10;
  - the proposals would provide enhancement to the local landscape character, including through an increase in the quantity of landscape features of value on the Site and their influence on the surrounding landscape character, so are considered to reinforce local distinctiveness;
  - the proposed junction improvements at Middleton Stoney would not have an urbanising effect on the character of the village or its associated views, beyond those that will be incurred as part of the Heyford Park Phase 1 improvements.

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## **Appendix A : Viewpoint Photographs – December 2020**

- Viewpoint 1a : Re-taken December 2020
- Viewpoint 1b : Re-taken December 2020
- Viewpoints 2 - 12 : see LVIA Appendix 13.4, contains February 2019 photographs
- Viewpoint 13a : Winter photograph taken in December 2020 from slightly revised location, due to diversion of footpath 161/11/10 (to become 161/11/20) on 27<sup>th</sup> January 2020 (original Viewpoint 13 location no longer publicly accessible)
- Viewpoint 14a : Re-taken December 2020
- Viewpoint 15 : Re-taken December 2020
- Viewpoint 16 : Photograph not re-taken, private property, no access

**Appendix B : Illustrative Landscape Masterplan**

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**Appendix C : AOC Archaeology Cultural Heritage Note on Middleton Stoney**