CD 13-14

HUSKISSON BROWN associates

landscape architecture ■ urban design
expert witness ■ environmental planning

APPENDICES TO THE PROOF OF EVIDENCE

of

DAVID HUSKISSON

relating to

LANDSCAPE AND VISUAL EFFECTS

on behalf of

CHERWELL DISTRICT COUNCIL

Appeal against the refusal of Cherwell District Council

to grant planning permission for

Redevelopment of part of a golf course to provide new leisure resort (sui generis) incorporating waterpark, family entertainment centre, hotel, conferencing facilities and restaurants with associated access, parking and landscaping on land to the east of M40 and south of A4095, Chesterton, Bicester, Oxon

Local Planning Authority Reference: **19/02550/F**

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APPENDIX 1: Summary of Qualifications and Experience od David Huskisson, Dip LA,CMLI

APPENDIX 2: Methodology

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APPENDIX 1

SUMMARY OF QUALIFICATIONS AND EXPERIENCE OF DAVID HUSKISSON, DIP LA, CMLI

1.1 I hold a Diploma in Landscape Architecture and am a Chartered Member of the Landscape Institute in the Institute's Landscape Design Division. I was elected to membership in 1975.

1.2 From 1982 to 1987 I was a Senior Associate with The Derek Lovejoy Partnership, a multi-disciplinary practice with offices throughout the UK.

1.3 Since 1987 I have been Principal of my own landscape practice. The practice is registered with the Landscape Institute and has been a member of the Institute of Environmental Management and Assessment since 1992.

1.4 I have experience in the assessment of landscape and visual effects on a broad range of projects. These include commercial, mineral, industrial, retail, recreational, healthcare, agricultural, infrastructure, highways, urban extensions and residential developments for the public and private sectors.

1.5 I have undertaken assessment work in Conservation Areas, National Parks, Areas of Outstanding Natural Beauty and other environmentally sensitive areas.

1.6 I have given extensive development control advice to Local Planning Authorities on a wide range of projects.

1.7 I have presented evidence at Public and Local Plan Inquiries.

1.8 For many years I have been an examiner and monitor for the Landscape Institute's Professional Practice Examination, known as the Pathway to Chartership.

1.9 My practice is Quality Assured to BS ISO9001:2015.

1.10 My practice was retained by Cherwell District Council in connection with this appeal in late November 2020.

APPENDIX 2

LANDSCAPE AND VISUAL IMPACT ASSESSMENT METHODOLOGY (EIA)

Assessment Methodology

2.1 The methodology used for the assessment of landscape and visual effects is based on the guidance set out in the third edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) by the Landscape Institute and the Institute of Environmental Management and Assessment published in April 2013. This guidance distinguishes between Environmental Impact Assessment (EIA) work and non EIA work.

2.2 GLVIA3 states that the role of a Landscape and Visual Impact Assessment (LVIA) is to *"consider the effects of development on the landscape as a resource in its own right and the effects on views and visual amenity"*. GLVIA3 refers to landscape in accordance with the definition adopted by the Council of Europe the European Landscape Convention 2002 i.e., *"an area, as perceived by people, whose character is the result of the action and interaction of natural and / or human factors"*. The Convention is all encompassing, referring to natural, rural, urban and peri-urban areas, including land, inland water and marine areas and includes "*landscapes that might be considered outstanding as well as everyday or degraded landscapes*." Its main thrust is landscape protection.

2.3 Set out below are tables containing the criteria used within the assessment. The tables are:

Table 1	Landscape Receptor Condition (Quality)
Table 2	Landscape Receptor Value
Table 3	Landscape Susceptibility
Table 4	Magnitude of Landscape Effects - Thresholds
Table 5	Visual Value
Table 6	Magnitude of Visual Effects - Thresholds
Table 7	Hierarchy of Landscape and Visual Sensitivity
Table 8	Significance of Effects Thresholds - Landscape or Visual Effects.

2.4 Despite the tables, it should be noted that there is necessarily scope for professional judgements to be made. The tables are there to clarify and support the assessment, not solely as a mechanism to be applied in their own right. However, the assessment text should explain any significant divergence from the tables. GLVIA3 stresses the need to avoid a

formulaic approach to assessment, noting the need for proportionality, focus on likely significant effects and focus on what is likely to be important to the competent authority's decision.

2.5 Landscape and visual effects are related subject areas but are assessed separately. Landscape effects derive from changes in the natural and built environments which may give rise to changes in their fabric, character and quality and how these are experienced. Visual effects relate to the changes that arise in the composition of available views as a result of a development proposal.

2.6 Effects can be positive (beneficial), negative (adverse) and are sometimes neutral. Proposals frequently include both beneficial and adverse elements. These are taken into account in determining the ranking of effect recorded in the assessment. Neutral effects may most frequently occur where the change is very limited. A neutral effect may also occur where a visual change may be very discernible but is considered no better or worse than what it replaced having regard to the context of the view, or where the beneficial elements are considered to be balanced by the adverse elements.

2.7 The scope of the assessment will usually have been agreed in general terms with the determining authority. It may include the preparation of visual studies and the agreement of viewpoints. Landscape and visual assessments typically involve a combination of desktop study and field surveys with subsequent analysis and assessment, summarised below.

Establishing the landscape and visual baseline:

- A review of relevant background data (including salient drawings and reports forming part of the planning application, planning policies, designations, OS and historic mapping, aerial photography and published Landscape Character and Capacity Studies);

- Field surveys of the site and surrounding area and inspection of publicly accessible views;

- Evaluation of the features and components of the landscape and their contribution to the landscape character, context and setting, based on the above desktop study and field work and including a consideration of the landscape condition and landscape value;

- Evaluation of the potential area in which the development may be visible, considering people (visual receptors) who may experience views, viewpoints and the nature of views based upon the above desktop study and field work.

- The landscape and visual baseline is usually based upon the site as it was at the time the assessment was undertaken.

Assessment of landscape effects:

- Identification of the components of the landscape that are likely to be affected by the scheme (landscape receptors), such as overall character and key characteristics, including, where appropriate, settlement type and character, individual elements or features, and specific aesthetic or perceptual aspects;

- Analysis of the development proposals and consideration of the potential landscape and visual effects of the proposed development on landscape receptors;

- Assessment of the sensitivity of the landscape to the changes likely to arise from the development (combining judgements about the susceptibility of the receptor to the type of change arising and the value attached to the receptor);

- Consideration of the design proposals and mitigation measures proposed to avoid, reduce or offset significant adverse effects as well as their appropriateness;

- Assessment of the magnitude of effect, made up of judgements about the size and scale of the effect, the geographical extent of the area that will be affected; and the duration of the effect and its reversibility; and

- Assessment of the significance of effect on the landscape, (taking into consideration the sensitivity of the receptor and the magnitude of effect) at Winter Day 1 (or winter during construction whichever is the 'worse case') and Summer Year 10 or Year 15.

Assessment of visual effects:

- Identification of the likely visual effects of the development on visual receptors;

- Assessment of the sensitivity of visual receptors to the changes likely to arise from the development (combining judgements about the susceptibility of the receptor to the type of change arising and the value attached to views);

- Consideration of the design proposals and mitigation measures proposed to avoid, reduce or offset significant adverse effects;

- Assessment of the magnitude of effect, made up of judgements about the size and scale of the effect, the geographical extent of the area that will be affected; and the duration of the effect and its reversibility; and

- Assessment of the significance of visual effects (taking into consideration the sensitivity of the receptor and the magnitude of effect) at Winter Day 1 (or winter during construction whichever is the 'worse case') and Summer Year 10 or Year 15.

2.8 Adverse effects ranked as Moderate are considered to be potentially determining issues, particularly where combined with other similar rankings. Adverse effects ranked as Moderate Substantial or Substantial are "significant" effects in the context of this methodology.

2.9 The consideration of construction effects is a standard part of an EIA assessment. However, in many instances there is insufficient information to make a meaningful assessment, for instance in the case of an outline application. In such cases it is common therefore that reference may be made to a range of generic effects, such as for example, those arising from cut and fill, carting away surpluses, hoardings and location of contractor's compounds, stockpiles and the like. Where a specific aspect of construction is likely to give rise to out of the ordinary or unusual effects, a comment to this effect should be made where possible.

2.10 The consideration of effects at Year 10 or 15 is undertaken in order to benchmark how effective the mitigation of an identified adverse effect is expected to be and identify the residual effects. For similar reasons to those set out in connection with construction effects, in an outline scheme there is often insufficient information on which to form a judgement. In such cases a precautionary approach should be taken to the consideration of the possible effect likely to accrue from mitigation. It could also be the case that the predicted effects are considered so large at Day One, even with a comprehensive suite of mitigation proposals, they are still judged to be unlikely to reduce the Day One effect to such a degree as to merit it being ranked as a lower category effect at Year 10 (or 15).

2.11 Effects that are temporary or truly reversible are usually considered less important than permanent effects.

2.12 Where appropriate, the assessment should describe the spatial extent of the effect.

Assumptions / Limitations

2.13 Key assumptions or limitations that have been made in undertaking the accompanying assessment should be set out in the body of the assessment.

TABLE 1 - *Landscape Condition (Quality)*

TYPICAL EVALUATION CRITERIA FOR LANDSCAPE CONDITION	RANK
EG: A landscape, including topographic form, features, pattern and visual attributes, that is in substantially unchanged / intact form as evidenced by reference to early historic mapping or other evidence. It will be likely to be well managed in a way that is sympathetic to its landscape type and form. It may be either representative or rare and could form part of a wider tract sharing the same or similar attributes. Does not require restoration.	Very Good ↕ Good
EG: A landscape, including topographic form, features, pattern and visual attributes, that is in generally unchanged / intact form as evidenced by reference to early historic mapping or other evidence. It will be likely to be managed in a way that is broadly sympathetic to its landscape type and form. It may not be either representative or rare and could form part of a wider tract sharing the same or similar attributes. Would / might benefit from modest restoration.	Ordinary ↕ Low
EG: A landscape, including topographic form, features, pattern and visual attributes, that is in generally substantially changed / fragmented / heavily eroded form as evidenced by reference to early historic mapping or other evidence. It will be managed in a way that may be unsympathetic to its landscape type and form or it may be unmanaged. It may not be either representative or rare or form part of a wider tract sharing the same or similar attributes. Requires landscape creation and /or restoration.	↕ Poor ↕ Very Poor

TABLE 2 *Landscape Receptor Value*

TYPICAL LANDSCAPE / TOWNSCAPE RECEPTOR VALUE (to be read in conjunction with GLVIA Box 5.1)	RANK
EG: important components or particularly distinctive positive character and may be susceptible to relatively small changes. Usually all National Parks / AONB's and some areas with County / District notations and some Conservation Areas and settings of some Listed Buildings. May also be undesignated land. Probably only very limited minor detracting features. Landscape components may be nationally rare whilst locally abundant or locally rare but nationally abundant. Landscape condition likely to be good or very good. Likely to have specific biodiversity interest. Commonly would have significant literary or other cultural associations and high recreational value.	High Value
EG: an area of moderately positive characteristics and possibly reasonably tolerant of changes, occasionally parts of AONB's, Conservation Areas and settings of some Listed Buildings, usually County / District notations, and with few detracting features. May also be undesignated land. Landscape components not rare either nationally or locally. Landscape condition likely to be fair or good. Likely to have some biodiversity interest. May have significant literary or other cultural associations and good recreational value.	↕ Medium (Good) Value
EG: A relatively unimportant area, weak landscape structure or character, the nature of which is potentially tolerant of substantial change and probably has frequent detracting features. Usually undesignated land. Landscape components common nationally and locally. Landscape condition likely to be fair to poor. Likely to have relatively poor biodiversity interest. Unlikely to have significant literary or cultural associations. Some recreational value.	↕ Low (Ordinary) Value
EG: A degraded landscape structure, characteristic landscape patterns and combinations of landform and landcover are masked by land use. Landscape components common nationally and locally. Landscape condition likely to be poor. Likely to have poor biodiversity interest. Unlikely to have literary or cultural associations. Little or no recreational value.	↕ Poor Value

TABLE 3 - *Landscape Susceptibility*

TYPICAL EVALUATION CRITERIA FOR LANDSCAPE SUSCEPTIBILTY	RANK
EG: A landscape, including topographic form, features and visual attributes, that would be unlikely to accommodate the specific proposed development without undue negative consequences including such issues such as being out of scale and out of character. Effective, in character, mitigation would be difficult to achieve, would be very unlikely to enhance.	High
EG: A landscape, including topographic form, features and visual attributes, that would be reasonably able to accommodate the specific proposed development without negative consequences including such issues such as in scale and character which and would not therefore be wholly out of character. Effective, in character, mitigation would be possible, but results may take time to be effective and exceptionally might give rise to an element of enhancement.	↕ Medium
EG: A landscape, including topographic form, features and visual attributes, that would be likely to be able to accommodate the specific proposed development with not more than very minor negative consequences including such issues such as being in scale and character which and would therefore not be out of character. If required, effective, in character, mitigation would be readily achievable and could enhance.	↕ Low

TABLE 4 *Magnitude of Landscape Effects - Thresholds*

MAGNITUDE OF LANDSCAPE EFFECTS (Day 1 - excluding proposed "soft" mitigation)	RANK
EG: Total loss or major alteration to key elements / features characteristics of the baseline i.e. predevelopment landscape and / or introduction of elements considered to be totally uncharacteristic when set within the attributes of the wider receiving landscape.	High Adverse ↕ Medium Adverse ↕ Low Adverse ↕ Minimal / No change ↕ Low Beneficial ↕ Medium Beneficial ↕ High Beneficial
EG: Partial loss of or alteration to one or more key elements / features / characteristics of the baseline i.e. predevelopment landscape and /or introduction of elements that may be prominent and may be considered to be substantially uncharacteristic when set within the attributes of the wider receiving landscape.	
EG: Minor loss of or alteration to one or more key elements / features / characteristics of the baseline i.e. predevelopment landscape and /or introduction of elements that may not be uncharacteristic when set within the attributes of the wider receiving landscape.	
EG: Very minor loss of or alteration to one or more key elements / features / characteristics of the baseline i.e. predevelopment landscape and /or introduction of elements that are not uncharacteristic with the surrounding landscape.	
EG: Very minor introduction of one or more key elements / features / characteristics of the baseline i.e. predevelopment landscape and /or introduction of elements that are not uncharacteristic with the surrounding landscape.	
EG: Moderate introduction of one or more key elements / features / characteristics of the baseline i.e. predevelopment landscape and /or introduction of elements that are not uncharacteristic with the surrounding landscape.	
EG: Substantial introduction of one or more key elements / features / characteristics of the baseline i.e. predevelopment landscape and /or introduction of elements that are not uncharacteristic with the surrounding landscape.	

TABLE 5 *Visual Value*

TYPICAL VISUAL RECEPTOR VALUES	RANK
EG: A recognised view within, towards or across a designated landscape or heritage asset, or locally important feature of key importance to defining or appreciating the local context and usually having strong visual harmony. Historic or published viewpoints either identified in published guidebooks or literature. Views from most rural public rights of way in such locations noted above. Views from private residences may fall into this category.	High ↕ Medium ↕ Low
EG: A view within, towards or across a locally important landscape or heritage feature, or important to defining or appreciating the local context and having a good degree of visual harmony. Viewpoints either identified in published local guidebooks or literature. Views from private residences may fall into this category.	
EG: A view of little intrinsic merit and / or lacking visual harmony although it may still add to an appreciation of the locality. Views from some public rights of way in such locations noted above. Views from private residences may fall into this category.	

TABLE 6 *Magnitude of Visual Effects - Thresholds*

RANK	MAGNITUDE OF VISUAL EFFECTS (Day 1 - excluding proposed "soft" mitigation)
High ↕ Medium ↕ Low ↕ No/ Minimal	EG: the majority of viewers affected / major change(s) in open direct close view or notable change in more distant view. Could be either adverse or beneficial.
	EG: many viewers affected / moderate change(s) in view, could be some fragmentation of view or sequence of views. Could be either adverse or beneficial.
	EG: few viewers affected / minor change(s) in view or very small changes in wide scale /panoramic view or oblique / fragmented views etc. Could be either adverse or beneficial or possibly neutral.
	EG: few viewers affected / change(s) in view barely discernible. Could be either adverse or beneficial but usually neutral.

TABLE 7 *Hierarchy of Landscape and Visual Sensitivity*

LANDSCAPE SENSITIVITY OR VISUAL SENSITIVITY			
Value	Susceptibility*		
	Low	Medium	High
High	Medium	Medium high	High
Medium	Medium low	Medium	Medium high
Low	Low	Medium low	Medium
Poor	Minimal / Low	Low / Medium low	Medium low

- Refer to text for rankings of visual susceptibility of receptors adopted in this case

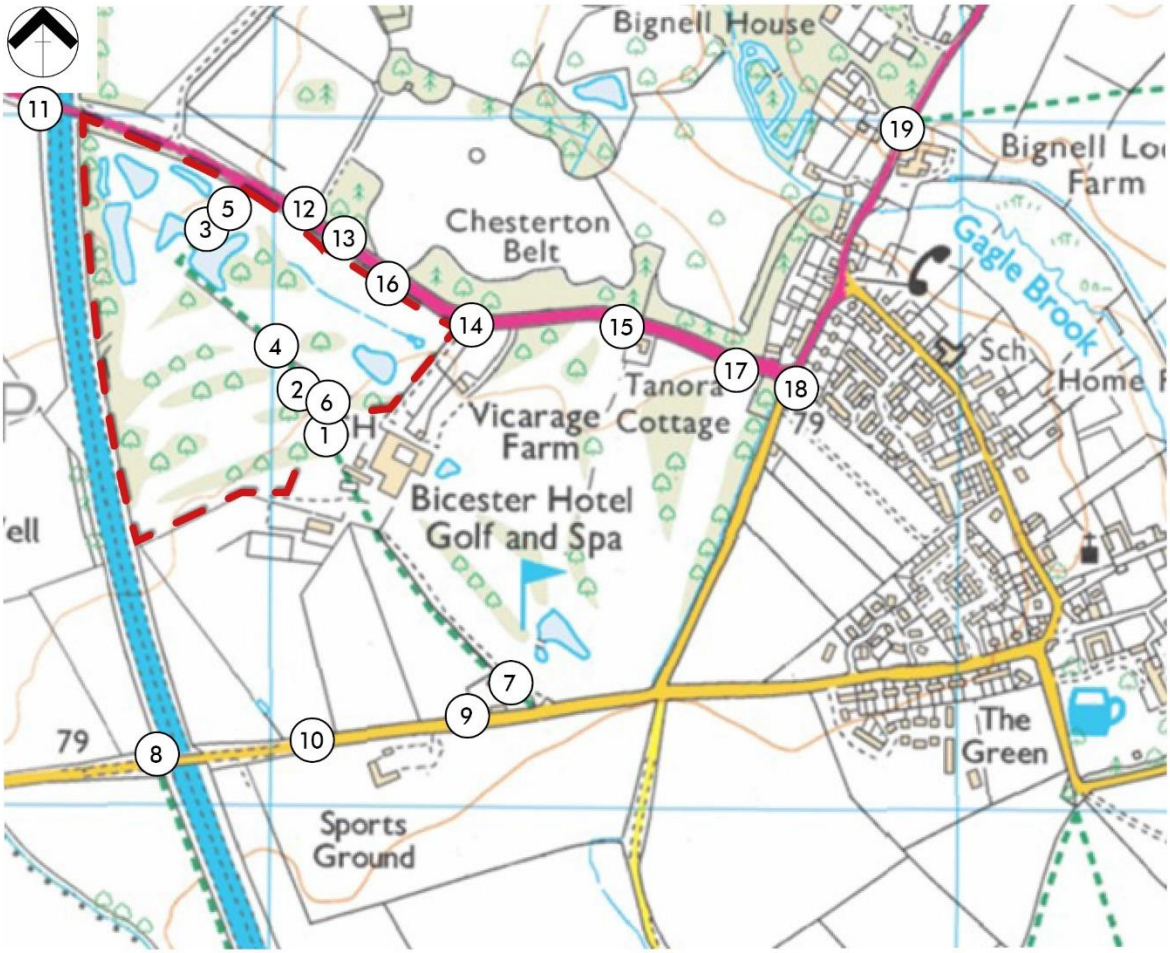
TABLE 8 *Significance of Effects Thresholds – Landscape or Visual effects*

MAGNITUDE OF EFFECT (Day 1 - excluding proposed "soft" mitigation).	LANDSCAPE SENSITIVITY OR VISUAL SENSITIVITY		
	Low	Medium	High
High	Moderate Effect	Moderate / Substantial Effect	Substantial Effect
Medium	Slight Effect	Moderate Effect	Moderate / Substantial Effect
Low	Minimal / Slight Effect	Slight Effect	Moderate Effect
No / Minimal Change	No Effect	No / Minimal Effect	No / Minimal / Slight Effect

- ***Substantial adverse or beneficial effect*** - where the proposal would cause a very significant deterioration or improvement in the landscape resource or visual appearance. Could be a determining issue in its own right.
- ***Moderate adverse or beneficial effect*** - where the proposal would cause a noticeable and clear deterioration or improvement in the landscape resource or visual appearance. Could be a determining issue, especially where combined with other similar rankings.
- ***Slight adverse or beneficial effect*** - where the proposal would cause a perceptible but small deterioration or improvement in the landscape resource or visual appearance. Unlikely to be a determining issue in its own right but will contribute to other landscape and / or visual effects in terms of overall effect.
- ***Minimal adverse or beneficial effect*** - where the proposal would cause a barely perceptible deterioration or improvement in the landscape resource or visual appearance. Can be regarded as "de minimis" or "not material" and may thus be regarded as neutral.

PHOTOGRAPHS

LOCATION OF PHOTOGRAPHS



N.T.S

KEY

Appeal Site

(1) Photo Locations

Photos 20 and 21 show junction at Middleton Stoney

All photographs are for reference purposes only

Photo 1 From PROW across site. Looking north from near BHGC.

Photo 2 From PROW across site. Looking north.

Photo 3 From PROW across site. Looking west.

Photo 4 From PROW across site. Looking south towards BHGC. Note ditch /swale width.

Photo 5 From PROW across site. Looking south east towards properties adjacent to BHGC.

Photo 6 From PROW across site. Looking south to BHGC, the layout of which is focussed towards the appeal site.

Photo 7 From PROW south of site. Looking north to BHGC.

Photo 8 From Green Lane bridge over M40 looking north to site.

Photo 9 From Green Lane looking north to site.

Photo 10 From Green Lane looking north to site.

Photo 11 From A4095 bridge over M40 looking south east to site.

Photo 12 From A4095 looking north west towards M40 to show rural road corridor. Site on left with 2.5m shared footpath /cycleway on verge extending up to sign. Verge on right also reduced.

Photo 13 From A4095 looking south east in vicinity of entrance. Site on right. Bignell Park to left. Verges lost by road widening & shared footway /cycleway. Kerbs, white lining & signs introduced.

Photo 14 From A4095 looking north west showing change of levels where diverted PROW will join 2.5m wide shared footway / cycleway. Note level change and vegetation in verge.

Photo 15 From A4095 showing Tanora Cottage frontage where 2.5m shared footway / cycleway will be introduced.

Photo 16 Looking into site through gappy frontage hedgerow. Vegetation loss due to cycleway etc.

Photo 17 Looking south east to Chesterton. Vegetation & verge loss due to cycleway etc on right.

Photo 18 Looking north west from edge Chesterton Conservation Area. Vegetation and verge loss due to cycleway etc on left.

Photo 19 Kerbing, macadam and guard railing to be introduced at entrance to PROW north of Chesterton.

Photo 20 Middleton Stoney. Verge removed to left for footway and road widened in right verge

Photo 21 Middleton Stoney. Verge removed to right for footway and road widened in left verge

Photo A Chesterton vernacular

Photo B Chesterton vernacular

Photo C Chesterton vernacular

Photo D Recent Chesterton development

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