

LANDSCAPE PROOF OF EVIDENCE

**REDEVELOPMENT OF PART OF GOLF COURSE TO PROVIDE
NEW LEISURE RESORT (SUI GENERIS) INCORPORATING
WATER PARK, FAMILY ENTERTAINMENT CENTRE, HOTEL,
CONFERENCING FACILITIES AND RESTAURANTS WITH
ASSOCIATED ACCESS, PARKING AND LANDSCAPING**

**LAND TO THE EAST OF M40 AND SOUTH OF THE A4095,
CHESTERTON, BICESTER, OXON**

ON BEHALF OF RULE 6 PARTY, PARISHES AGAINST WOLF (PAW)

**SECTION 78 APPEAL OF THE TOWN & COUNTRY PLANNING ACT 1990
(AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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PLANNING | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

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1. WITNESS BACKGROUND AND PARTICULARS

- 1.1 My name is Andrew Cook and I hold a Bachelor of Arts degree in Geography (BA Hons) and a Masters Degree in Landscape Design (MLD). I am a Chartered Landscape Architect, Chartered Member of the Landscape Institute (CMLI), Chartered Environmentalist (C Env) and Member of the Institute of Environmental Management and Assessment (M IEMA). A comprehensive note of my professional experience is set out at appendix 14, a summary of which is set out below.
- 1.2 I am one of the founding Executive Directors of Pegasus Group which was established in 2003. Since then, the company has grown, establishing sixteen offices across the UK, employing approximately 350 planning and environmental planning professionals. I jointly head the environmental planning division in which planning for residential development accounts for a significant part of the business. The company is a corporate member of the Institute of Environmental Management and Assessment (IEMA) and was a founding member of IEMA's Quality Mark scheme.
- 1.3 I have gained over 35 years of landscape planning consultancy experience. Prior to Pegasus, I was an Environmental Director at RPS (formerly Chapman Warren Planning Consultants) where I specialised in addressing landscape planning issues which related to a wide range of development projects. I have had considerable experience of and involvement in a wide range of residential development and leisure projects throughout the UK, many of which have involved sites in Green Belts as well as statutory protected landscapes including National Parks (NP), Areas of Outstanding Natural Beauty (AONB) as well as non-statutory landscape designations such as a Special Landscape Areas (SLAs), as 'valued landscapes'. I have presented evidence at public inquiries on many occasions to address a wide range of landscape and visual issues.
- 1.4 I am based in the Cirencester office of Pegasus where I manage a team of 22 environmental planners and landscape architects. I and the landscape architects within my team at Pegasus undertake their work in compliance with the Landscape Institute's Code of Standards of Conduct and Practice for Landscape Professionals (May 2012).

- 1.5 This landscape proof of evidence is based on my own professional judgement and is presented in accordance with the guidance of my professional institution, the Landscape Institute, the content of which is true to the best of my knowledge and belief and is presented irrespective of by whom I am instructed.

2. INTRODUCTION AND SCOPE OF LANDSCAPE EVIDENCE

2.1 I am instructed on behalf of Parishes Against Wolf (PAW) thereafter referred to as the Rule 6 Party or PAW to present evidence relating to landscape and visual matters in respect of the appeal relating to the redevelopment of the northern half of the golf course to create a new leisure resort (sui generis) incorporating water park, family entertainment centre, hotel, conferencing facilities and restaurants with associated access, parking and landscaping.

2.2 My Landscape Proof of Evidence comprises this document and a separate A4 folder which forms my appendices. This evidence should be read in conjunction with the planning proof of evidence prepared by Steven Sensecall and the other statements submitted on behalf of PAW.

Scope of Evidence

2.3 In presenting my evidence I explain why in landscape and visual terms the appeal scheme would cause an unacceptable level of harm given the character of the site, reflective of the surrounding countryside, recognising that the overall planning balance is for others to comment upon.

2.4 Following the refusal of this application, the Council set out six Reasons for Refusal in its decision notice dated 12th March 2020. My proof of evidence specifically addresses the fourth reason which states that:

“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.”

2.5 I summarise the points which I seek to address in my evidence as follows:

- Proposed size, scale and massing would cause significant urbanisation

- Development proposed in this location in the open countryside would cause significant urbanisation
- Significant urbanisation would cause unacceptable harm to the character of the area
- Significant urbanisation would cause unacceptable harm to the appearance of the area
- Harm to the rural setting of the village
- Harm to the amenities enjoyed by users of the public right of way
- Fail to reinforce local distinctiveness

2.6 In preparing my evidence, I have reviewed a number of documents, the principal ones of which include the following:

- Refusal Notice (12 March 2020)
- Case Officer's Report
- Landscape Consultation Responses
- Landscape and Visual Impact Assessment and visualisations
- Planning Proof of Evidence prepared by Mr Steven Sensecall (Carter Jonas)
- Committee Report
- Relevant landscape reports
- Design and Access Statement
- Application Planning Statement
- Relevant Planning Policies
- Consultation responses
- Application Drawings
- Other relevant documents

2.7 Where appropriate, I draw upon relevant information from these documents though seek to avoid unnecessarily repeating the same information and therefore been appropriately selective. I have reviewed the Landscape and Visual Impact Assessment undertaken as part of the planning application. I have also assessed the appeal scheme with reference to the LVIA viewpoints together with the prepared visualisations that illustrate the substantial scale of the appeal scheme. To assist in my analysis, I have also undertaken my own assessment, based on these LVIA viewpoints which is summarised in a schedule of effects table which forms appendix 7 to my proof. I would note that I consider that the baseline situation for the scheme has not changed since the original LVIA was undertaken in 2019.

2.8 I also comment on the 'nature' of landscape and visual effect further on in my proof. All of this analysis has allowed me to consider the landscape and visual effects with reference to the issues raised in the fourth Reason for Refusal and to make informed professional judgements concerning such matters and in order to establish the level of harm, or otherwise, from a landscape and visual perspective.

Representative Viewpoints and Visualisations

2.9 I consider that the LVIA photographs have been taken from a number of representative viewpoints in the landscape surrounding the site, though this work is not totally comprehensive. It is anticipated that the Inspector would visit these representative viewpoints set out in the LVIA as an *aide memoire*.

2.10 I recognise that it is not practical to include viewpoints from every possible location though there are some obvious omissions to which I refer. The viewpoints which have been selected illustrate a range of visual receptors at different distances and directions from the site. The locations of the viewpoints have been considered and the photography has been undertaken when atmospheric conditions and visibility was good. It is recognised that there is no substitute for visiting the viewpoints in the field to gain a first-hand appreciation of the viewing context.

2.11 Mindful of the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3) I have reviewed the appeal scheme based on the viewpoints as part of my field work and site visit. This has allowed me to ascertain the landscape and visual effects and to make informed professional judgements concerning such matters and to establish the level and nature of change from a landscape and visual perspective. My appraisal was based on winter views, given the Inquiry timetable, however, I have been mindful of summer views in my analysis. I note that the Inspector will experience winter views on site (see appendix 7).

2.12 The degree of visual effect is identified by means of a simple descriptive scale as per the GLVIA 3rd Edition guidance. However, it is also necessary to consider the nature of the landscape and visual effects. GLVIA3 assists noting:

2.13 With regard to landscape effects paragraph 5.37 states that:

"One of the more challenging issues is deciding whether the landscape effects should be categorised as positive

or negative. It is also possible for effects to be neutral in their consequences for the landscape. An informed professional judgement should be made about this and the criteria used in reaching the judgement should be clearly stated. They might include, but should not be restricted to:

- a) **The degree to which the proposal fits with existing character**
- b) The **contribution** to the landscape that the development may make its own right, usually **by virtue of good design**, even if it is in contrast to existing character.

The importance of perceptions of landscape is emphasised by the European Landscape Convention, and others may of course hold different opinions on whether the effects are positive or negative, but this is not a reason to avoid making this judgement, which will ultimately be weighed against the opinions of others in the decision-making process.” (my emphasis)

2.14 With regard to visual effects paragraph 6.29 states that:

“As with landscape effects and informed professional judgement should be made as to whether the visual effects can be described as positive or negative (or in some cases neutral) in their consequences for views and visual amenity. This will need to be based on a judgement about whether the changes will affect the quality of the visual experience for those groups of people who will see the changes, given the nature of the existing views.”

2.15 In this instance and for the purposes of this proof, the effects upon the landscape are specifically considered in terms of effect upon firstly landscape elements and secondly landscape character. The proof also sets out how the proposal would have a bearing upon the general visual amenity associated with the area. The proposed scheme, I regard is a built form which essentially reflects an urban character and is therefore in stark contrast with the character of attractive countryside which forms the local environment. Similarly, the proposed car park would be equally out of character with the area, again being urban in style.

2.16 I am aware that people (on the whole) generally adopt an adverse reaction to change, particularly with regard to their local environments, with which they are very familiar and therefore tend to adopt a rather negative stance, and adverse reaction to any change, irrespective of whether it’s harmful or indeed beneficial. However, putting this emotive aspect aside, it is my professional judgement that the scheme would be wholly out of keeping in terms of both character and

appearance with the rural area, and as such I consider it would be adverse in terms of nature of effect, rather than neutral or beneficial (unless I otherwise specifically state in my proof).

3. PLANNING CONTEXT

Site Description

- 3.1 The site is located well beyond any built-up area and is in the open countryside as regards to the Framework. The site itself is devoid of buildings and is a largely managed attractive landscape as part of a wider golf course.
- 3.2 The application site extends to 18.6 hectares and comprises the northern 9 holes of the existing 18-hole golf course, which forms part of the Bicester Hotel Golf and Spa (BHGS). It is situated quite close to the western edge of the village of Chesterton (approximately 0.5km from the village centre). Little Chesterton is also only situated approximately 1.3km to the south of the site with Bicester 1.3km from the site to the east.
- 3.3 The site is located immediately to the east of the M40 which is orientated north-south along the western boundary of the site. The site is bounded to the north by a local main road, the A4095 orientated east-west (Kirtlington Road) and to the south of the site, lies land and buildings associated with the retained golf hotel, together with two residential properties being Stableford House and Vicarage Farm. Further east and along the A4095 is another residential property known as Tanora Cottage.
- 3.4 It is proposed that the southern 9 holes and the hotel and the spa facilities associated with the golf club would remain in situ and continue to operate alongside the proposed development, further compounding the sheer scale of the overall built form within the existing golf course.
- 3.5 To the north of the site lies the A4095, beyond which lies a mix of agricultural land and Bignell Park, an attractive parkland, which provides office accommodation and a residential property. Beyond the M40 to the west of the site is further agricultural land and some farms with other parkland estates.
- 3.6 The site contains a number of landscape features, including ponds, treecover, some of which provide semi-natural woodland and hedgerows. There are also a variety of grasslands, with dense scrub around the site. The ponds are mostly located in a cluster in the northern part of the site and have been engineered as an integral part of the design of the golf course landscape.

- 3.7 The vegetation on site mainly comprises trees, shrubs and grassland areas. The larger scale and more dense areas of vegetation include tree belts, woodland, areas of scrub and hedgerows which are largely located along the boundaries but some substantial areas of tree cover punctuate the site itself, with many of the trees and shrubs scattered across the site individually in groups as part of the golf course design and whose purpose is to frame fairways and greens to provide some enclosure, as well as collectively create an attractive scene. There is established tree cover along the western boundary adjacent to the M40 motorway and along the northern boundary abutting the A4095.
- 3.8 There are two registered parks and gardens within 5km of the site, namely Middleton Park (Grade 2) located 1.4km to the north west, and Kirtlington Park (Grade 2) circa 2.8km to the south west of the site. There are a number of other parkland landscapes which collectively define the area.
- 3.9 A public right of way (PROW) reference 161/6/10 runs through the site and is orientated north-south, extending initially from the golf club entrance and running along its driveway passing through the car park, past the club house itself, and runs across the site itself in a north-south orientation to link with the A4095 to the north. The actual alignment of the public right of way is demarcated by a number of waymarked signposts and clearly used.

Case Officer's Committee Report

- 3.10 The Case Officer's Committee report refers to consultations and notes that the following consultees have raised objections or concerns about the application. This includes a number of local Parish Councils, including: Bicester Parish Council, Bletchington Parish Council, Chesterton Parish Council, Fritwell Parish Council, Godington Parish Council, Kirtlington Parish Council, Launton Parish Council, Lower Heyford Parish Council, Middleton Stoney Parish Council, Summertown Parish Council, Wendlebury Parish Council, Weston-on-the-Green Parish Council, Mid Cherwell Neighbourhood Plan Forum and Bicester Local History Society Campaign for the Protection of Rural England. Many of these are now represented by PAW.
- 3.11 The Case Officer's report sets out in its introduction, the key issues arising from the application which includes impact upon landscape character as well as the design and how that would have a particular impact upon the character of the area together with landscaping and trees. The Case Officer notes there are a

number of key planning issues to consider and concluded that the proposal would be unacceptable for a number of reasons including the fact that it would involve the loss of an 18-hole golf course without appropriate mitigation. It also noted that the proposed building by virtue of its size, scale, massing would have a detrimental visual impact through 'urbanisation' within a rural context close to the historic village of Chesterton. This would cause unacceptable harm to both the character and appearance of the area as well as to the rural setting of the village and would fail to reinforce local distinctiveness, which is a policy requirement.

Pre-Application Stage

- 3.12 Section 5 of the Case Officer's Committee Report is concerned with pre-application discussions. Paragraph 5.1 notes that pre-application discussions took place throughout late 2018 and 2019. Even at this early stage, the Council confirmed that it was not in a position to support a planning application for the proposal at that stage. The scheme has not materially changed since that stage.
- 3.13 Paragraph 5.3 goes on to note that together with issues regarding the landscape and visual impacts of the development, the design and scale of the proposal in this open countryside setting were raised then as a matter of concern. In addition, the pre-application proposal would also result in social harm through the loss of an existing area of recreational land. Officers concluded that there would be significant harm caused by the development which would not be outweighed by the perceived benefits. This indicates the local value attached to this amenity land.

Representations Objecting

- 3.14 The Case Officer's report addresses the response to publicity in section 6 of the report. Paragraph 6.2 notes that approximately 820 comments were received objecting to the proposal. This indicates the considerable value that the local community attached to this amenity landscape. It summarises the main comments raised by third parties with regard to landscape and visual impact as a series of bullet points as follows:
- **"Development would have a significantly harmful effect on the setting of Chesterton and on the rural character and appearance of the area"**
 - **The development will have an irreversible impact on the landscape and views of the site**

- **The vast scale of the proposal is out of keeping with a rural location and the scale and size of the development will be a visual distraction to road users affecting local roads and motorway traffic**
- **No amount of screening will disguise the height of the proposed full storey buildings and water park detrimental to the visual amenity of the area**
- **The proposed building has no architectural merit**
- **Elevations are far too large and high for the site**
- **Sprawl of built form across the site has an urbanising impact.**” (my emphasis)

3.15 With regard to Chesterton Parish Council (the nearest one), it also objected to the scheme on a number of grounds given the public concerns, with Carter Jonas LLP being instructed by the Parish Council to submit formal objections to the application. One of the main points that was raised was the fact that the proposal was considered to be fundamentally out of character with the rural locality, in that a 498 bedroom hotel with an occupancy of up to 8 people per room would effectively create a ‘small village’ or large out of town shopping centre to give some sense of scale, whilst in terms of the proposal’s context, the open countryside and its prevailing rural character is of agricultural fields with the landscape Bignell Park to the north of the site.

3.16 In terms of consultees, it is noted that in paragraph 7.18 of the Officer’s report, the Campaign for the Protection of Rural England also objected, noting that the proposal was contrary to a number of policies, namely BSC10, BSC11, ESD8, ESD10, ESD13, ESD15 and ESD17.

3.17 In paragraph 7.19, Cherwell District Council arboriculture raised no objections subject to increased screening of the site and seeking high quality replacement trees. Otherwise, the submitted report with the application and its findings were considered acceptable by the arboricultural officer. Interesting to observe that even the tree officer considered that the proposal would need to be screened from sight indicating its harm in appearance terms.

Council’s Landscape Response

3.18 The comments of the Cherwell District Council landscape services are set out in paragraph 7.27 of the Case Officer’s report to Committee. It notes that the scale of the development is considered very large and unjustifiable due to approximately two thirds of the site required for building and car park which is

regarded as a significant overdevelopment when compared with the adjacent Bicester Health Club and Spa. An objection was raised by the landscape services department in principle, due to the perceived overdevelopment of the site. I find this understandable given its sheer size and scale relative to the size of the site constrained further by car parking (now reduced) and narrow landscape boundaries. Furthermore, the Officer remained to be convinced that the cumulative development harm had been addressed adequately in the LVIA, noting that the Environmental Statement chapter 14 dealing with cumulative effects does not address the development's combined effect with Bicester Health Club and Spa nor had the cumulative lighting harm been addressed. I also note little substantive attention is given to the night scene in the LVIA, given the current darkness of the site.

- 3.19 The Case Officer's report addresses the matter of design and impact on the character of the area from paragraph 9.113 onwards. In paragraph 9.123 the Officer notes that:

"The existing and remaining Bicester Golf Hotel and Spa is not comparable to the proposal in terms of scale, size, nor massing and it more appropriate in all respects to its rural context and setting. The proposed building containing the water park, hotel and conference facilities would introduce a substantial amount of built form to the site where none currently exists with the provision of very significant buildings both in terms of footprint and scale and large areas of parking and hardstanding around the building. The water slide tower for example is approximately 22.5m in height and the tallest section of the hotel accommodating the guest bedrooms are between 18 and 20m in height. The proposed built development would be significantly taller and larger than any buildings in the surrounding area and would not relate to the scale and size of other buildings in this rural setting where buildings are generally a maximum of two storey with much more modest footprints. The proposed building would be out of keeping with surrounding development due to its large size and massing, appearing incongruous and alien when compared to the surrounding scale and form of buildings in the otherwise rural character of the immediate landscape. The development would therefore be detrimental to the rural character and appearance of the locality, including as experienced by walkers in views from the public rights of way that cross the site and which are proposed to be diverted to accommodate the proposed development."
(my emphasis)

3.20 I would agree with the Case Officer's analysis. It goes on to note in paragraph 9.124 that this impact would be compounded given that:

"This impact would be compounded by the level and intensity of activity, including vehicular comings and goings, associated with the nature and scale of the proposed use. This would not be sympathetic to the rural character of the area, with potential for damage to verges along local minor roads..." (my emphasis)

3.21 I note that the significant traffic movements which would change the quiet nature of the local roads is not addressed in the LVIA.

3.22 It goes on to note that:

"...It does have an impact on the immediate surrounding area by virtue of its location outside of the built form of the nearest settlement and its design which is not reflective or reinforcing local distinctiveness. The argument that the proposal would not be clearly visible from outside the boundaries of the site is relevant to some viewpoints but not all and in any case, Officers consider the scale, form and massing of buildings should be responsive to their context." (my emphasis)

3.23 The Case Officer goes on to note in relation to the design of the hotel building, that the building would still read as a single substantial multi-storey hotel building, totally at odds with the existing scale and form of the buildings in what is a rural context. The Officer goes on to note that the front parts of the hotel building are predominantly four storeys in height and maintain a similar ridge and eaves height across the vast majority of the building, with repetitive fenestration and form. Some effort has been made to try and introduce some variation by including two projecting three-storey wings. Nevertheless, the repetitive form and fenestration gives a rather bulky, bland and institutional appearance which appears to pay very little regard to the local vernacular of North Oxfordshire or break up the bulk of the building into a number of smaller elements.

3.24 In conclusion, the Case Officer notes in paragraph 9.126 that overall, there are significant concerns about the local visual impact and design of the built form in terms of its size, scale and massing in the rural context of the site. The resulting built development will appear incongruous and an alien feature in the immediate local context and is not representative of the local vernacular, nor does it reinforce the local distinctiveness. I note that it will also fail to protect and enhance the enjoyment of the existing public right of way, again noting the local

appreciation of a public access route through an attractive amenity landscape. I agree with these general findings set out in the Committee Report.

Characterisation of Great Wolf Resorts (see appendices 9 and 10)

3.25 In order to get a sense of what is actually proposed here on the edge of the rural Cotswolds, I thought it would be useful to see how Great Wolf Resorts are designed in the USA, as this provides a strong indication as to what is really envisaged. Interestingly, there is surprisingly little evidence of this in the DAS, yet it forms the heritage of this resort.

3.26 The following is a list of the Great Wolf Resorts across the United States.

- Anaheim / Garden Grove, CA
- Atlanta / LaGrange, GA
- Charlotte / Concord, NC
- Chicago / Gurnee, IL
- Cincinnati / Mason, OH
- Colorado Springs, CO
- Grand Mound, WA
- Grapevine, TX
- Kansas City, KS
- Minneapolis / Bloomington, MN
- New England / Boston, MA
- Niagara Falls, Canada
- Pocono Mountains, PA
- San Francisco / Manteca, CA
- Sandusky, OH
- Scottsdale / Talking Stick, AZ
- Traverse City, MI
- Williamsburg, VA
- Wisconsin Dells, WI

3.27 This portfolio of resorts gives a very clear indication as to the character and appearance of what is actually proposed here in the Cotswolds. Analysis of appendices 9 and 10 show two key aspects with regard to this appeal, one being the location of these resorts and two, the general character of these buildings and their vast complexes.

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- 3.28 As far as their locations are concerned, I would note the following, that there is a clear city centre focus.
- 3.29 It can be seen from appendix 10, that the vast majority of the resorts are located within the heart of urban areas, or at least on the fringes of the cities. Many of which are located close to other urban facilities such as retail centres, retail parks, residential areas, commercial business parks, hospitals, airports and always located in close proximity to major highway junctions for traffic access as clearly private transport is key. They tend to be highway junctions, for example, see Gurnee, Chicago. Many are located within a cluster of hotels in the locality, see example, Anaheim. The Grapevine resort is located immediately adjacent to an international airport. Tranquillity is not a pre-requisite of these resorts as all main activities are within buildings and not outside. Many of the resorts sit within the characteristic grid network of development blocks and are often surrounded and are in close proximity to large residential estates. It is apparent from this evidence that the Great Wolf resorts are generally located in very urban environments in the vast majority of cases. The exception is that if they are not located in an urban environment and in a rural location, they are set within and completely immersed and framed by forest, screened from sight as is the case with the Boston and Pocono Mountains resorts and is also true of Williamsburg. The surrounding forest thereby completely physically and visually contains these resorts like the Center Parcs model. Clearly, they are not designed to be seen.
- 3.30 As far as the character and appearance of these resort complexes are concerned, I would note the following key points.
- 3.31 Examination of appendix 10 of the American resorts show the real nature of the proposed buildings and the design of the complexes. These are typically high rise in height and one conjoined complex of buildings to create one single massive monolithic development building footprint, as is illustrated with the Kansas City, Niagara Falls, Pocono Mountains and Sandusky resorts. This is reflected in the building footprint, see appendix 5. The other striking feature is that they all follow a standard template building model, with the central hotel and indoor water park being flanked by symmetrical accommodation wings and reflect an inflexible template. The only notable difference between the resorts is the elevational treatment which ranges in panel cladding, being: concrete, brick, stone and timber, as can be seen in the images at appendix 10. However, given the number of accommodation bedrooms, which translates into the building footprint and the

high elevation of the accommodation blocks and the conjoined nature of the unremitting facades of the building, these collectively create a large monolithic complex which is common to all resorts, see appendix 10 and would equally be the case here at the appeal site evident by the fact that the building design template is not materially different from many in the USA cities, see DAS and proposed section drawings prepared by EPR Architects.

4. DESCRIPTION OF THE PROPOSAL

Introduction

4.1 I comment on the design of the scheme from a landscape perspective. The Ministry of Housing Communities and Local Government published a National Design Guide (September 2019) to provide guidance to secure beautiful, enduring and successful places and sets out ten key characteristics with these objectives in mind (see appendix 13).

4.2 Internal page 6 of the document usefully defines the specific terms: 'layout'; scale; appearance and landscape as follows. Paragraph 23 defines layout as:

"Layout shows how routes and blocks of development are arranged and relate to one another to create streets, open spaces and buildings. It defines:

- **The structure or settlement pattern**
- **The grain, or the pattern of development, blocks and plots**
- **The broad distribution of different uses, and their densities or building heights."** (my emphasis)

4.3 'Scale' is defined in paragraph 26 as follows:

"Scale is the height, width and length of each building proposed, within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced. The relationships between the different dimensions of a building or component are known as its proportions." (my emphasis)

4.4 'Appearance' is defined in paragraph 27 as follows:

"Appearance is the aspects of a building or space within the development which determine the visual impression the building or space makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. In the case of a space, its landscape also influences its appearance."

4.5 The term 'landscape' is also defined in paragraph 28 of the document as follows:

"Landscape is the treatment of land for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment. Landscaping includes landform and drainage, hard landscape such as surfacing, boundary treatments,

street furniture and play equipment. It also includes soft landscape – trees, shrubs and other planting.”

4.6 The first of the ten characteristics is ‘context’ which is concerned with the location of the development and the attributes of its immediate, local and regional surroundings. It goes on to note that well-designed places are based on a number of factors:

- A sound understanding of the features of the site and the surrounding context
- Integration into the surroundings so they relate well to them
- Influenced by and influence their context positively
- Responsive to local history, culture and heritage

4.7 Section C1 is concerned with understanding how a site relates well to its local and wider context. This scheme has simply not taken these factors into account with regard to the site’s context as I proceed to explain later.

4.8 ‘Public places’ are another one of the key characteristics. In this regard, the document notes that well designed places exhibit a number of aspects, as follows:

- Include well located public spaces that support a wide variety of activities and encourage social interaction to promote health, wellbeing, social and civic inclusion
- Have a hierarchy of spaces that range from large and strategic, to small and local spaces including parks, squares, greens and pocket parks
- Have public spaces that feel safe, secure and attractive for all to use
- Have trees and other planting within public spaces for people to enjoy whilst also providing shading and air quality and climate change mitigation.

4.9 The detailed descriptions of the proposal as set out in various documents including the Design and Access Statement, the Landscape Report and the Officer’s Report to Committee, reflect the fact that these principles are not found in the design and as such the scheme is not anchored in its locality, nor does it establish any local ‘sense of place’.

Broad Design Principles

4.10 The application seeks full planning consent for the redevelopment of half of a golf course to provide a new leisure resort including a water park with external slide tower, family entertainment centre, 498 room hotel, conferencing facilities and restaurants with associated access, parking and landscaping. To the north of the

built section of the development, publicly accessible open space is provided with nature trails, play space and picnic areas. The water park and hotel proposed is the first of its kind in the UK and Europe, proposed by Great Wolf Resorts, an American company who own and operate a chain of indoor water parks in the United States and Canada. Refer to my appendices 9 and 10. There are no examples in the UK to demonstrate design reflecting local vernacular.

4.11 The following is a standard checklist for the proposed leisure resort at Chesterton which includes:

- 498 bed hotel (27,250m²)
- Indoor water park (8,340m²) with external slide tower (height 22.5m)
- Family entertainment centre including an adventure park, food and beverage and merchandise retail, conferencing and back of house (12,350m²)
- The adventure park will provide activities including ropes course, climbing wall, mini golf, family bowling, arcade games and an interactive role-playing game
- Associated access and residual landscaping
- 902 new parking spaces
- Public parkland (6 hectares) including nature trails and play spaces (I am not sure where the public would park to use this space)

4.12 The hotel comprises 498 bedrooms typically ranging from two to six bed spaces. This along with the amount of parking proposed indicates that the number of guests on site at any one time is likely to be between 1,000 – 2,000 at peak periods. The appellant has indicated that the average length of stay for a family is 1-2 nights. I suspect that the numbers would be significantly higher with commensurate activity, (see highway proof prepared by Rupert Lyons).

4.13 The indoor water park is clearly the key attraction anchor of the Great Wolf Lodge. It will include a range of water park attractions, including slides, lazy rivers, toddler pools and wave machines. It is designed for use by a target audience of families with children of ages between 2 to 12 years of age. The conference centre would be supported by a small outdoor terrace overlooking west beyond which is the public nature trails area.

4.14 The proposed nature area will cover approximately 6 hectares and is provided for public use including nature trails and areas for both hotel guests, conference

delegates and members of the public. There is no reference as to how the public park would be accessed by people on foot and in cars.

- 4.15 In terms of operating hours, this varies for elements of the proposed development but in summary the hotel would operate 24 hours a day. The water park and family entertainment centre would run from 8am in the morning to 9pm in the evening with food and beverage being available from 7am to 11pm in the evening. The nature trail would be available from 6am in the morning to 9pm in the evening, subject to variation during the winter period. This facility would run two thirds of each day, year round, overall an enormous amount of people activity.
- 4.16 The Case Officer's report notes that the construction phase of the development would last approximately 2 years and during this period the public right of way would be re-routed around the working area.
- 4.17 The Case Officer report addresses landscaping from 9.127 of the report, noting that satisfactory details of landscaping including measures to protect existing trees can be secured by a Condition. Paragraph 9.130 goes on to note that the submitted Landscape Strategy includes an analysis of the site and its surrounding context. It contains the landscape design principles and mitigation and enhancement measures which in summary comprise:
- **“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 Middleton Stoney LDU, in particular to introduce and/or enhance key characteristic features such as woodland, parkland, species rich hedgerow as boundary treatment and hedgerow trees**
 - **Establish a multi-functional framework including green infrastructure that strengthens ecological and landscape connectivity, improves landscape resources, reduces flood risk through integration of the SUDS strategy and enhance visual amenity**
 - **Minimise visual impacts, especially upon those who have nearer and clearer views of the development, including adjacent residents, users of the public footpath and visitors to the remaining golf course, hotel and spa**

- **Provide a designated route, improved access and enhance landscape setting for the diverted public footpath.** (my emphasis)

4.18 Yet many of these aspects have not been assessed in the LVIA and are left unconsidered.

4.19 Paragraph 9.131 notes that submitted landscape and planting plans gives specific details on a range of improvement and enhancement measures including:

- **“Tree planting and shrub planting throughout the proposed car parking areas**
- **Creation of an entrance boulevard using mature trees from the new access through the car park**
- **Existing trees retained where possible and in line with the arboricultural survey**
- **Native species rich hedgerow planting along the south east boundary as well as additional native broadleaved woodland planting and coniferous species to increase screening and soften views**
- **Existing vegetation retained to south east boundary**
- **Introduction of bunding at various points throughout the site for screening and softening**
- **Extension of existing pond to form a local feature at the entrance**
- **New wildlife ponds to southern and western edges of site to replicate those lost**
- **Existing woodland belt on the western boundary will be enhanced with additional broadleaved native woodland planting.”** (my emphasis)

4.20 I would ask why is the proposed massive bunding needed to screen the building if it is attractive and sympathetic in design.

4.21 It goes on to note in paragraph 9.132 that the northern section of the site will be put to publicly accessible space and include opportunities to sit with a picnic area, a den, a playground (natural play area), walkways amongst grassland punctuated with broadleaved planting to the edges with new wildlife ponds and native parkland trees scattered throughout the area to provide structure. Much of this is not new as it can be currently enjoyed by footpath users. I consider there is limited actual gain.

4.22 Paragraph 9.133 the Officer notes that the proposed areas of planting are welcomed and will have a positive impact on the site in terms of softening the development and providing some additional screening. However, the Officers do not consider the landscaping scheme fully mitigates against the scale, massing and size to the built form.

Building Proposals

4.23 All the various elements of the resort in terms of its recreational offering would be accommodated within one giant combined monolithic building to link the various elements, such as entrance, bedrooms, restaurants and indoor water park. As a consequence, this will generate an enormous footprint in terms of built form as can be seen in appendix 5, landscape grain. This footprint would be completely at odds with any scale of buildings (in terms of their footprint) in the locality or even wider area. Even the largest manor houses pale into insignificance in terms of their footprint where comparison is made in this regard. The scale of this is more akin to what is found in urban areas and appendix 5 showing Bicester gives some indication with regard to this point.

4.24 I refer to the submitted Design and Access Statement, section 6. This identifies the main component parts of the built complex. The hotel forms the central part of the complex which would include stable bedroom wings. The main hotel forming the 'Manor House' entrance and flanking residences would be four storeys in height with a high-pitched roof profile extending to the eaves to form an overall ridge height of approximately 20m above slab level. This building complex would be highly uniform with similar elevational treatment with little pronounced punctuation in terms of relief, quite unremitting in terms of its appearance. Similarly, the eaves and the ridge lines are comparable and present little variation in terms of vertical profile. The buildings are more typical of the character and style of large hotels one associates with urban areas. The scale and proportions are extensive, creating a monolithic appearance which would be overwhelming and dominating in near views. This negative appearance would be further exacerbated with the flanking stable bedroom wings which at three storeys are still very large buildings, even in their own right. Collectively, all of these built elements would create a strong institutional character. There is no doubt. Indeed, currently I am involved with a university student accommodation scheme which is in fact smaller in terms of massing and scale than this scheme. Within the immediate environs including the site and adjacent golf hotel and retained golf

course, this would be a highly dominant built form and oppressive in visual amenity terms as a consequence. In near views, such as public rights of way and highways in the locality it would remain visually prominent even in the medium and longer term.

- 4.25 'Behind' the hotel would be located the water park, which again is another large structure. Intended to appear as an agricultural building, however, the North American example which is shown in the DAS again has a strong urban character, rather than a sympathetic rural appearance reflecting the locality.

Car Park

- 4.26 The design of the car park is clearly highway engineered led in design with serried rows of parking bays and is typical of an urban style car park. Whilst the proposal envisages some tree and shrub planting, the overwhelming character of this car park will be characterised by the extensive hard surfacing with parking and running surfaces.

Northern Boundary

- 4.27 The northern boundary is currently defined by young mature native indigenous tree and shrub species to form a narrow tree hedge along the southern side of the A4095. The proposal significantly punctures this length to facilitate the vehicular access point. Furthermore, there is no proposal to substantially reinforce this boundary with further tree and shrub planting. Consequently, there will be filtered views of the scheme, day and night through the year.

Southern Boundary

- 4.28 The southern boundary would require considerable attention as this would be contiguous with the northern curtilage of the retained golf hotel and its course. It is proposed that huge earth bunds (up to 4-5m in height), which is the equivalent in eaves height of a two-storey house would be located along the southern boundary, I suspect, probably in order to dispose of the arisings, topsoil, sub-soil and substrate for construction of the massive footprint and car park area and so as to avoid material being taken off site as a muck shift equalisation exercise. It is proposed that some treecover would be introduced in a few places associated with these bunds, but that the majority of the bunds would be simply maintained as grass sward resulting in rather unsightly and uncharacteristic features for the

locality. Tree planting being sparse for these large high bunds would result in oppressive and unsightly features, quite alien in appearance.

Western Boundary

- 4.29 The western boundary is defined by conifer and deciduous young mature trees, much of which would be retained but is not proposed to be substantially reinforced. As such, there would be filtered views of the monolithic building from northbound M40 traffic. Much would in fact be removed to accommodate the scheme.

Landscaped Grounds

- 4.30 The existing grounds are essentially retained and located in the northern apex of the site. This currently is punctuated with a series of small ornamental ponds, separated by tree groups, fairways and greens. The proposed design essentially retains this small attractive landscape green infrastructure though reinforces it with additional standard tree planting. Though enhanced, this would not be capable of being appreciated by the public footpath users as this route is diverted. The 'retained' landscape has been located at the 'rear' or back of the complex beyond a massive car park. It is not integral.

Summary

- 4.31 In overall terms, given the scale of built form proposed, in terms of its scale, massing, size, together with the car park, both create a strong sense of built form one would associate with an urban environment. My analysis see appendix 9 and 10 of the many resorts across America reveal that the vast majority are located in an urban context and as such their designs are not out of place. However, what is particularly striking here, is that when one analyses the character and appearance, particularly the general layout of the many American resorts, when compared to the appeal scheme, the latter is not materially different and as such would be completely out of character and appearance with its local rural context of the Cotswolds, save for the 'retained' part of the golf course landscape in the northern part of the site.

5. LANDSCAPE ELEMENTS

Introduction

- 5.1 This section of my evidence explains why the appeal scheme would in overall terms result in little real beneficial effect as far as landscape elements are concerned in general.
- 5.2 The sheer scale of the project and associated traffic movements would also necessitate off site works as well as those works located within the site itself. This section of my proof addresses the effects of the scheme upon those landscape elements and features that currently characterise the appeal site and the wider landscape offsite.

Trees and Hedgerows

- 5.3 The site is broadly triangular in shape with northern, western and southern boundaries to which I refer.
- 5.4 Much of the western boundary is defined by mature tree cover including deciduous and evergreen species. The northern half of the western boundary is particularly characterised by a line of conifer trees framed by further scrub and deciduous trees set further into the site which form the western framework to the golf course. The southern half of the western boundary is made up of a belt of deciduous and evergreen trees of variable width. A significant proportion of this tree cover would be lost in order to accommodate the proposed development given the size constraints of the site and the large building proposed.
- 5.5 The northern boundary which is contiguous with the A4095 Kirtlington Road currently exhibits a narrow belt of young mature deciduous shrubs and trees. A new wide gap would be introduced along this boundary to facilitate the main vehicular access point for the development and would open up a clear line of sight of the building complex. In broad terms within the triangular area of the site, the southern half accommodates a large number of evergreen and deciduous trees which frame the various fairways and greens (see aerial photograph appendix 12). All of these mature trees would be lost to accommodate the proposed layout. This loss would be unavoidable.
- 5.6 The proposals include new additional tree planting within the grounds, which would mitigate (only in part) against the number of trees lost. However, one also

needs to consider the quality and size of the trees as well as the quantitative analysis as it is these aspects that contribute to the visual amenity. The scheme would inevitably involve the loss of a significant number of mature trees and given their maturity and stature they currently make a significant contribution to the visual amenity of the locality, which can most readily be appreciated from the public right of way which passes through the site. It would inevitably take a considerable period of time for the newly planted trees to grow and to replace the lost amenity value associated with the trees removed.

- 5.7 There is also shrubbery that would be lost along with this tree cover, which also contributes to the amenity landscape.

Golf Course as Amenity Landscape

- 5.8 The land, which forms the appeal site is currently managed as a popular golf course and is highly valued as an amenity landscape at the local level by both users of the golf course and those using the public footpath. Over half of the total site comprising this current amenity landscape would be lost to facilitate the proposed development. This would be totally lost, not reinstated nor mitigated or offset, but simply a total loss and major adverse effect.

- 5.9 There is an existing public right of way, which extends across the site. To note its value, I would observe the following as documented in the Case Officer's report.

Public Rights of Way

- 5.10 The Case Officer's report, in paragraph 6.2 addresses the specific loss of the golf course, noting that the loss of a highly acclaimed and financially viable golf course is the only one close to Bicester and notes that the open spaces for such sports provision should be protected as the loss of the golf course would be a loss in mental health and wellbeing facility.
- 5.11 The Case Officer's report notes in paragraph 7.50 that the Oxfordshire County Council Rights of Way Officer had not responded at the time of writing the Officer's report. I note that any concerns in this regard were therefore not documented. However, in the absence of a response it is worthy of note that in paragraph 7.52 the Officer's report notes the Ramblers Association response, noting that the Association objected to the proposal due to the proposal's detrimental impact on the local environment. In the Ramblers Association

response, it states that the golf course is regarded as a valuable amenity, which would be lost if the development were to go ahead.

5.12 Furthermore, the public right of way (161/06) would be diverted from a now pleasant route to the side of the A4095 and then by a car park. I note it would be unpleasant for walkers, especially with the increased noise and activity the facility would create. In conclusion, the Ramblers Association objected to the diversion of the footpath. Additionally, the development, it is considered, would bring significant change to the rural character of the area with visual intrusion of the buildings and artificial illumination of the development. A matter I note that is not addressed comprehensively in the LVIA. It is once again considered that the development would be out of scale and design with the historic character of the adjoining village of Chesterton.

5.13 To accommodate the proposed development, the current public right of way would have to be realigned from a point just north of the Bicester Hotel building and repositioned to run along the proposed development in a north eastward direction up to a point of contact with the A4095 Kirtlington Road. The diverted footpath would run alongside one of the car park internal roads. Pedestrians wishing to continue northward along the footpath would have to walk along a new roadside pavement (urban not rural feature) to Kirtlington Road. As a consequence, users of this route would experience a significantly reduced visual amenity when compared to walking across the current amenity landscape golf course.

Topography

5.14 The construction of the building complex along with the extensive hardstanding for the car park would generate a significant amount of spoil. By reference to the landscape plans, see appendix 6 it is apparent that the majority of the southern boundary would be defined by a high artificial earth bund which would extend up to 4-5m in height along its length and would appear highly artificial as a local landscape feature. Many thousands of tonnes of earth material would need to be used in this construction and would reflect a major change to the topographic profile of the site. With a medium susceptibility value, sensitivity combined with a high magnitude of change would result in a major adverse degree of effect.

Water Features

- 5.15 The site accommodates a number of existing ponds with a cluster located in its northern apex. All of these would remain in place as this area would form the reduced open space for the proposed development. However, one large pond located in the eastern part of the site would be lost. A new pond would be created close to the arrival point of the resort complex. As a consequence, there would be a minor adverse effect upon the water feature resource associated with the site.

Offsite Works

- 5.16 The Case Officer's report at paragraph 9.34 notes that the Chesterton village is served by minor roads including Alchester Road and Green Lane.

Highway Improvement Works Offsite

- 5.17 I note that various highway improvement works are proposed including at the main junction in the village of Middleton Stoney. In summary, the carriageway needs to be widened and extended by approximately 240m² to enable reconfiguration of three lanes to be constructed (northbound), together with the widening of the existing narrow footpaths. Collectively, the proposals as identified in appendix 11 would further urbanise the general character of this road junction located within the heart of this rural village.
- 5.18 Proposed highway works would also involve substantial widening of the A4095 Kirtlington Road to facilitate vehicular access into the proposed development which would significantly urbanise this stretch of road, which currently has a strong rural character. This is in contrast to the current access point to the Bicester Hotel located to the south off the country lane known as Akeman Street. This vehicular access point is defined by low key roadside signage together with iron gates hung on large gate posts flanked by wing walls reminiscent of entrances to local estates such as that located close to Middleton Stoney road junction which relates to Middleton Park, rural in character.
- 5.19 The diverted public footpath is designed to exit onto the Kirtlington Road and link with a new roadside pavement proposed to accommodate pedestrian/cycle movement alongside this highway. This pavement would be provided for pedestrian and cycle safety but would introduce further urbanisation of this rural lane and lose the amenity viewing experience.

Countryside and Village Lanes

- 5.20 Whilst the appeal site is located adjacent to the M40 and appears to be well connected in terms of existing highways, yet for tourists travelling some distance, particularly from the southern catchment area, will exit the M40 motorway at the A34/A41 junction to the south of the site and travel along the A41 towards Bicester. Off this road there is the opportunity to turn onto an unclassified lane called the Hale, which directly links the A41 Oxford Road with the golf course.
- 5.21 This lane is very narrow as highway warning signs indicate on the A41 Oxford Road and is only wide enough for one vehicle, with vehicles needing to pull in to enable them to pass oncoming vehicles. This is particularly the case within the village environs of Little Chesterton. Whilst narrow and tortuous, it currently appears as a quiet country lane though existing traffic already compromises this lane as is evident by the significant damage to the grass verges as a result of vehicles going off the metalled surface to pass one another.
- 5.22 It is inevitable that given the high visitor numbers and associated volume of traffic, this lane will become very heavily used as visitors arrive and leave the facility and is very likely to cause significant further damage to the character of this lane. This physical damage together with the anticipated high vehicle numbers will materially change the character of this quiet lane to a busy cut through and rat run, thus materially changing its character and appearance, in an adverse manner, a matter not addressed in the application LVIA.

Summary

Summary of Effects on Landscape Elements table

Element	Effect of the Scheme
Trees	Major (adverse)
Golf Course/Amenity Landscape	Major (adverse)
Topography	Major (adverse)
Public Access	Major (adverse)

Water Features	Minor (adverse)
Rural Lanes	Minor (adverse)

- 5.23 In overall terms the appeal scheme would result in substantial (major adverse) effects with regard to the overall landscape elements that currently define the landscape character of the site and surroundings. The site would change from a golf course to a large-scale resort complex. The elements that currently contribute to defining the character of the site, namely trees, fairways and greens, water features would be lost in great part when compared against the current situation.
- 5.24 Collectively, if one draws the different elements of the site together it defines the overall character of the site itself. In summary, the site is characterised as amenity landscape managed as a golf course, much of which would be totally lost to accommodate the building complex and car park, resulting in a major adverse impact in overall terms as a result of its urbanisation.

6. EFFECT ON LANDSCAPE CHARACTER

Introduction

6.1 Having determined that the site itself would be adversely affected in terms of its character being urbanised, this section of my proof explains how the scheme would have a bearing upon the landscape character of the surrounding area, which lies beyond the site itself. I have discussed the offsite impact on the country lanes previously. As defined in the GLVIA3 glossary landscape character is defined as **“A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different to another...”**.

6.2 To further clarify a distinction in the use of terms, Landscape Character Areas (LCAs) are discrete geographical areas of a particular landscape, as opposed to Landscape Character Types (LCTs), which are defined in GLVIA3, page 157 as follows:

“These are distinct types of landscape that are relatively homogeneous in character. They are generic in nature in that they may occur in different areas in different parts of the country, but wherever they occur they share broadly similar combinations of geology, topography, drainage patterns, vegetation and historical lands use and settlement pattern, and perceptual and aesthetic attributes.”

6.3 A number of landscape character assessments have been undertaken in recent years to identify both landscape character types (LCTs) and areas (LCAs) and have been published to assist professionals in understanding how decisions can affect landscape character.

6.4 I have provided some narrative here in this section to explain how the proposed scheme would have a bearing upon the wider landscape character of the area beyond the appeal site.

National Character Area 107 Cotswolds (appendix 3)

6.5 The appeal site and the surrounding countryside are located in the far eastern part of the National Character Area (NCA) 107 referred to as the Cotswolds. This NCA forms part of an assessment of the character of England’s landscape, first undertaken by the Countryside Agency but now the responsibility of Natural England. The key characteristics of NCA 107 are described on internal page 6 of the document as follows:

1. **“Defined by its underlying geology: a dramatic limestone scarp rising above adjacent lowlands with steep combes, and outliers illustrating the low erosion of escarpments. The limestone geology has formed a scarp and dipslope of the landscape, which in turn has influenced drainage, soils, vegetation, land use and settlement.**
2. **Open and expansive scarp and high wold dipping gently to the south east dissected by river valleys.**
3. **Arable farming dominates the high wold and dipslope while permanent pasture prevails on the steep slopes of the scarp and river valleys with pockets of internationally important limestone grassland**
4. **Dry stone walls define the pattern of fields of the high wold and dipslope. On the deeper soils and river valleys, hedgerows form the main field boundaries.**
5. **Ancient beech hangers lie in stretches of the upper slopes of the scarp, while oak/ash woodlands are characteristic of the river valleys. Regular blocks of coniferous and mixed plantations are scattered across the open high wold and dipslope**
6. **Large areas of common land, important for unimproved calcareous grassland, are characteristic of the scarp and high wold around the Stroud valleys and along the crest of the scarp to Cleve Hill.**
7. **The majority of the principal rivers flow south-eastwards forming the headwater of the Thames with the exception of rivers in the west which flow into the River Avon and then the Severn Estuary.**
8. **Rich history from Neolithic barrows, iron age hillforts and Roman roads and villas to deserted medieval villages, grand country houses, cloth mills and Second World War airfields. The field patterns largely reflect both the medieval open field system, with fossilised areas of ridge and full furrow, and later planned enclosures.**
9. **Locally quarried limestone brings a harmony to the built environment of scattered villages and dry-stone walls, given the area’s strong sense of unity for which the Cotswolds are renowned. Bathstone is also famous and has been used for buildings since Roman times, both locally in the principal buildings and streets of Bath and more widely, for example, for Buckingham Palace in London. Parkland, gardens and historic designed landscapes are features particularly of the dipslope and broad lowland, such as Lawrence Johnston’s garden at Hidcote, and Heather Muir’s**

garden at Kiftsgate, parkland at Stanway, Chastleton and Blenheim Palace.

10. Prominent natural and built features in the landscape include the city of Bath, WHS, Brailes Hill, Broadway Tower, Cleeve Hill and Tyndale Monument, Freezing Hill, Kelston Round Hill and Blenheim Palace.” (My emphasis)

- 6.6 The overall key characteristics reveal a deeply rural and agricultural landscape with regard to this rural area. This is in part due to a general absence of large built complexes in this area. This Natural England document is as intended a high-level character assessment which provides a useful overview by which to understand the character of the local landscape and its surrounding. At this higher level, it is considered that the appeal scheme would bring about significant change to a number of key characteristics of this NCA as identified above, as underlined. This character area has a high susceptibility and value resulting in a high sensitivity, which combined with a high change of magnitude would result in a major (adverse) degree of effect as a consequence of the scheme being in place both within and near the site. The proposal would be wholly out of keeping with the character of the local rural environment and countryside, as described above.
- 6.7 The summary of the document, which is set out in internal page 3 notes that parkland and estates are a particular characteristic of the area. It goes on to note that the area generally has a rich history and is of national and international importance and is a notable visitor destination and has a longstanding reputation as a 'quintessential English landscape.' Indeed, the vast majority of this landscape is so valued that it is designated as the Cotswolds Area of Outstanding Beauty.
- 6.8 It goes on to note on internal page 7 under the heading 'Cotswolds today' that this area extends from Mells to Somerset to Brackley in Northamptonshire. It is a very distinctive landscape of national significance with 65% of the area designated as an Area of Outstanding Natural Beauty. Furthermore, the Cotswolds are part of an oolitic limestone outcrop that stretches from Dorset to Lincolnshire. All of this area creates a unique landscape, which is unified by the underlying geology. The document notes that a visual harmony is derived from the scale and simplicity of the landform and from the widespread use of distinctive oolitic limestone as a building material. It goes on to note on page 8 that field patterns are influenced by the field system overlaying by subsequent piecemeal and planned enclosure which resulted in many of the dry-stone walls

and hedgerows seen in the landscape today. These can be seen in the locality of the site. To the north side of Kirtlington Road is defined by a dry-stone wall. Furthermore, that a combination of this high-quality landscape and tranquillity and an excellent rights of way footpath network has made the Cotswolds a popular destination for quiet outdoor recreation given its tranquil nature.

- 6.9 The analysis notes on page 10 that the area accommodates many fine country houses and parklands, which were established including Blenheim Palace, now a WHS, Compton Wynyates, Sherborne Park, Dyrham Park, Badminton and Cirencester Park to name some. There are many near the site itself. It goes on to note that the 16th Century expansion of the war prediction led to enclosures across the Cotswolds to create sheep enclosures and the process went hand in hand with the shrinkage of settlements and the establishment of fine houses with small estates. All of which, I note is evident in the context of the site.
- 6.10 On page 11 of the document, it notes that with such a large area of the NCA designated as a protected landscape, there has been relatively little change in the last decade. The name Cotswolds is a recognisable brand nationally and internationally as representing the quintessential English landscape. This reputation is leading to visitor pressure in some places as a consequence. The site's landscape context reflects many of these qualities, which would be significantly eroded by the scheme.
- 6.11 Under the heading 'Statements and Environmental Opportunity,' SCO1 is concerned with protecting and enhancing highly distinctive farmed landscapes. Indeed, one of the objectives is to manage and maintain the nationally important parklands estate landscapes and ancient orchards, which are considered highly characteristic of the area. The site's amenity landscape as a golf course reflects this key parkland characteristic of the local area.
- 6.12 SCO2 is concerned with safeguarding and concerning the historic environment. By way of example, it notes that maintaining the nucleated settlement pattern of small towns and villages is one such objective. It goes on to note that using an understanding of the area's traditional and historical architecture and its distinctive patterns of settlement, to inform the appropriate conservation of historical buildings and to plan for and inspire environmentally beneficial new development which makes a positive contribution to local character. This scheme would fail to achieve this goal. It also notes the conservation and managing

parklands to retain their important contribution to landscape character. It goes on to note under the heading 'Additional Opportunities' on internal page 21 which is concerned with managing the recreational and tourism opportunities that promoting sustainable tourism initiatives that target a broad range of visitors and reduce car dependency while conserving the landscape and its inherent tranquillity. I note that whilst the scheme would promote visitors, it would simultaneously destroy and urbanise the local defining parkland characteristics and reduce tranquillity locally.

Local Level – Oxford Local Landscape and Wildlife Study (2004)

(appendix 4)

- 6.13 The Oxfordshire Wildlife and Landscape Study was commissioned by Oxfordshire County Council. The aim of this project was to explore the relationship between landscape character and biodiversity and to produce a strategic framework for decision making. The landscape assessment used and approved by the (then) Countryside Agency is based on a national typology of landscape description units. As a result of the study, 24 different landscape types were identified. For each of these, a detailed description of its landscape character and associated habitats was completed which was followed by strategic guidelines with a view to safeguarding, maintaining and enhancing the landscape resource.
- 6.14 The first stage involved dividing the National Character Areas into discreet landscape description units. The site and the immediate surrounding area are located within area 19, which is described as Wooded Estatelands landscape type and Middleton Stoney LDU. The site falls within the wooded farmland as illustrated in figure 2, internal page 12 (see Appendix 4).
- 6.15 The study also examined the relationship between landscape character and diversity to create a bio-landscape map. The site and surrounding area fall within the very highest category referred to as 'very high' bio band as illustrated on the bio map figure 3, internal page 13.

Wooded Estatelands Landscape Type (appendix 4)

- 6.16 This Wooded Estatelands landscape type includes parklands at the eastern end of the Cotswolds as ranging from the area around Blenheim Park, Steeple Barton, Middleton Park and as far as Shelswell Park to the north of Bicester. Further south it includes Eynsham Hall Park and Blagdon Heath Wood and it also includes the

majority of the wooded and parkland areas in the undulating landscape of the corallian ridge. It notes that under the heading 'Overview' that the wooded estate landscape is also characterised by arable farming and small villages with a strong vernacular character. The key defining characteristics are listed as follows:

- **"Rolling topography with localised steep slopes**
- **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 village with strong vernacular character"**
(My emphasis)

6.17 It is worthy of note that of the few defining characteristics for the landscape, one of which is parkland, which the golf course generally reflects. Under the heading 'Land Use and Vegetation' it notes that:

"The landscape has a mix of land uses but is largely dominated by arable farming. On the steeper slopes there is some semi-improved grassland.....This is a well wooded landscape with large prominent blocks of ancient semi natural woodland often located on the steeper slopes..."

6.18 Under the heading 'Cultural Pattern' it notes that fields are generally enclosed by woodland as well as hawthorn and Elm hedges. Views are generally filtered through trees and framed by woodland blocks. It goes on to note that:

"...Large parklands with their distinctive country houses, extensive woodland and ornamental lakes Blenheim, Middleton, Eynsham Hall and Buscot are also very typical of this landscape type and underlie its estate character."
(My emphasis)

6.19 Again, reference to parkland landscapes is a key observation being very typical. The report goes on to note that the settlement pattern is characterised by small settlements within the wider countryside and that the vernacular character is strong in most of the villages.

6.20 Under the heading 'Biodiversity Overview' it notes that the landscape type is associated with parklands and their associated estate lands. Again, parklands feature in this commentary.

6.21 In terms of Local Character Areas, the site and its immediate surrounding area fall within the Middleton Stoney area (CW/59). In terms of landscape character, it notes that:

“The area is dominated by large arable fields and localised improved grassland. There are smaller grass fields around villages, particularly Bletchingdon and 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...parklands are a prominent feature throughout and they include Middleton, Bignell and Tusmore Parks in the north and Kirtlington and Bletchingdon Parks in the south.” (My emphasis)

6.22 I note reference to parklands and estates again. The report goes on to identify ‘Forces for Change’ and notes a number of key observations:

- “...
- **The vernacular character is strong in most of the villages and there is generally a low impact on residential development, especially within the wider countryside. However, in some villages new residential development is out of character even though it is contained within the village envelope. There is also sprawling development along some of the main roads particularly the A420 and the A338, although this is mitigated to some extent by woodland and by mature garden trees.**
- **In very intensive areas of arable farming some of the new, large scale barn complexes are visually intrusive.**
- ...
- **The golf course next to the A420 close to Buckland is visually prominent. Frilford Heath Golf Course by comparison blends well with the existing countryside by integrating successfully with existing woodlands and heath.**
- ...” (My emphasis)

6.23 Golf courses are specifically mentioned as defining the local landscape. The report notes that the landscape strategy is to safeguard and enhance the characteristic landscape of parklands, estates, golf courses, woodlands, hedgerows and unspoilt villages. With this in mind, the report sets out guidelines as to how to realise this strategy which are set out in a series of bullet points as follows:

- “conserve and maintain semi natural and ancient semi natural woodland. Where appropriate, replace non-native conifer species with native species such as oak and ash. Promote the establishment and management of medium to large scale deciduous and mixed plantations in areas where the landscape structure is particularly weak.
- Strengthen the field pattern by planting up gappy hedges using locally characteristic species such as hawthorn and hedgerow trees such as oak and ash.
- Promote environmentally sensitive maintenance of hedgerows including coppicing and layering where 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, darkwood and spindle.
- Conserve parklands and their associated landscape features such as stone walls, lakes, mature trees and woods.
- Conserve the surviving areas of permanent pasture and promote arable reversion to grassland particularly within parklands.
- Enhance and strengthen the character of treelined watercourses by planting willows and ash and where appropriate pollarding willows.
- Minimise the visual impact of intrusive land uses such as quarries, land fill sites, airfields and large-scale development, such as new barns and industrial units with the judicious planting of trees and shrub species characteristic of the area. This will help to screen the development and integrate it more successfully with its surrounding countryside.
- **Maintain the nucleated pattern of settlement and promote the use of building materials and a scale of development that is appropriate to this landscape type.”** (My emphasis)

6.24 Again, reference to parklands and their associated landscape features is made and the objective of conservation of these amenity landscapes. It goes on to note in the final section under the heading ‘Key Recommendations’ to safeguard and enhance landscape character of ancient woodlands, parklands, species rich hedgerow network and treelined watercourses. Contrary to this guidance, the proposed scheme would involve significant loss of parkland type landscape.

Analysis concerning Landscape Character

- 6.25 It is apparent from my analysis of the published Landscape Character Assessments that the landscape, which forms the local context for the proposed development is overwhelmingly rural in character with only limited passing references to built form and infrastructure, unlike other Landscape Character Areas. Both at the national and local level, there is recognition that whilst the majority of the landscape is defined by farmland, subdivided by fields and their boundaries defined by trees and treecover, hedges and dry-stone walls, there is much reference to the extensive parkland landscapes that make a significant contribution in defining the character and rural appearance of the local landscape.
- 6.26 This is particularly the case here and is evident in the vicinity of the site immediately to the north of which lies an extensive parkland known as Bignell Park whilst a short distance to the north west of the site lies the extensive parkland of Middleton Park. Further west of this lies Rousham. Furthermore, lying south west of the site lies Kidlington Park. The existing golf course also closely reflects these parklands that collectively are so critical in defining the open countryside locally.
- 6.27 With all of these local estates, their parklands have a number of common defining characteristics in that they typically reveal tree belts around their perimeters to physically and visually contain the properties from the landscape beyond, so that they are effectively visually enclosed units, whilst within the estates themselves, the landscape is almost entirely managed as grassland, whether grazed by stock or mechanically mown, but either way these create a strong sense of openness with the grassland. These sweeping meadows and lawns are invariably punctuated with groups of trees, and standard trees judiciously located to provide key internal views and vistas.
- 6.28 All of these defining elements are common to all these parkland estates. The existing golf course that falls within the appeal site has all of these key defining characteristics with perimeter treecover along the northern and western boundaries, with the whole site managed as grassland in the form of greens and fairways, punctuated with arrangements of treecover and shrubs to create views and vistas to facilitate golfing in this instance. This is also the case with other nearby golf courses such as Magnolia Park Golf and Country Club near Honeyburge.

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- 6.29 As a result, there is substantial commonality in terms of the appeal site's landscape character when compared to other characteristic areas of rural land located in the countryside. The only material difference is that the estates tend to be for private use whereas the appeal site facilitates golfing as a leisure pursuit for the paying public. It is this combination of private or semi-private parks and surrounding farmland that collectively I consider to represent the quintessential English countryside that is recognised the world over as the Cotswolds. There is no doubt that the appeal site exhibits most of the key characteristics that collectively define this well-known and well-recognised Cotswold landscape. This is evident by the dry-stone walls seen locally along with the stone facades and design of the golf hotel itself. It is Cotswold in character.
- 6.30 In contrast, with this baseline position and existing landscape character, the proposed development with its monolithic substantial built form and extensive car park exhibits all the hallmarks of an urban complex so typical of the existing Great Wolf resorts found in many cities across the United States. Therefore, inevitably in landscape character terms, the proposed development would create an urban environment on the site where none exist currently, nor in the surrounding countryside and as such would be totally out of character with this rural environment and more in keeping with the nearby urban area of Bicester and other nearby towns. Put simply, if one were stood within the site, with the scheme operational, there would be no sense of place associated with this rural location. The proposal would also have a strong urbanising influence upon the adjacent countryside in the vicinity, particularly where seen from nearby vantage points. There is no doubt that this proposal would have a substantial (significant) adverse effect in landscape character terms.

7. GENERAL VISUAL AMENITY (APPEARANCE)

- 7.1 To reiterate, character and appearance are two quite different aspects, where the latter is concerned with views and general visual amenity as opposed to the former, which is concerned with the building blocks or elements that collectively define a given landscape. I have explained how the character of the landscape would be adversely affected with the appeal scheme in place in the previous section.
- 7.2 In order to gain a better understanding of the extent and nature of the change brought about by the appeal scheme in visual amenity terms, I examine the effect of the proposed scheme on the visual amenity of the landscape and the perception of those visual receptors (people) within the landscape, where relevant.
- 7.3 It is useful to refer to the photoviews of the representative viewpoints included as part of the submitted LVIA.
- 7.4 My assessment is based on year 1 (winter) following planting after completion of construction, as well as year 15.
- 7.5 Visual amenity is described on page 158 in the Glossary of *Guidelines for Landscape and Visual Impact Assessment – Third Edition* (April 2013) as:

“The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area.”

- 7.6 Views from the countryside are mainly gained from vantage points accessible to members of the public. The two main ways in which members of the public can gain an appreciation of views when in the countryside are from public highways and by using the various public rights of way that pass through the landscape. I address both of these receptors.

Public Highways

- 7.7 There is a substantial network of public highways in the locality of the site. I proceed to address these public receptors from the four cardinal compass points. Immediately to the north of the site lies the A4095, Kirtlington Road. This highway is contiguous to the site’s northern boundary. Whilst the site’s northern

boundary is framed by young mature trees and hedgerow, there would be filtered views through the vegetation such that road users would be visually aware of the building complex and resort. This perception would be reinforced with direct views of the complex as motorists pass the entrance to the resort providing a clear line of sight. In such a view, the building complex would dominate the view and would result in an adverse visual effect. The road would be widened and a roadside pavement introduced, which would urbanise the road's appearance. This detailed analysis was omitted from the LVIA. This would not only apply to all types of motorists but also all pedestrians rediverted along this highway as a result of the public footpath being diverted. Again, no analysis of this point in the LVIA. Whilst this relates to the daytime during the night-time scene, a similar situation would exist with the lighting associated with the accommodation wings and car park.

- 7.8 The majority of the Kirtlington Road would be visually unaffected, but the section close to the site would be substantially adversely affected.
- 7.9 Immediately to the south of the site and the Bicester Golf Course is an east west orientated highway, known as Akeman Street (Green Lane), which runs westward to link with Northampton Road (B430). Some lengths of these two roads would be visually affected by the proposal. A new roadside pavement would also urbanise this rural highway. Whilst there is vegetation, trees and hedgerows flanking these roads, there would be filtered views of the building complex for road users, motorists and recreationalists and as such would be visually affected to a substantial (adverse) degree, particularly the recreationalists. I note that views from some roads to the west have not been assessed in the LVIA.
- 7.10 Slightly further away from the site, a narrow country lane linking the A41 Oxford Road is orientated north south to link with Akeman Street and forms the spine road to Little Chesterton village. North of this settlement, road users using this highway would see some roofscape associated with the proposal, see viewpoint 15 (LVIA). The increase in traffic along this road would also change and reduce its rural tranquil character.

Public Rights of Way

- 7.11 There are a number of public rights of way in the locality. Due south of the site lies a public footpath orientated north-east south west linking the settlement of West-on-the-Green with Akeman Street from this public right of way the

roofscape of the complex would be visible above the trees in what is otherwise a rural scene whilst currently little built form characterises the views.

On site Public Footpath

- 7.12 A public footpath orientated north-south reference 161/6/10 links Akeman Street to the south with Kirtlington Road and passes through the centre of the site. Users of this route walking north along the approach driveway to the Bicester hotel would see the monolithic roof scape behind the existing hotel complex in combination. The existing footpath across the site in terms of the visual amenity currently provides an appreciation of the golf course and its parkland character and would be totally lost (major adverse effect). The footpath and users of it would be diverted along the southern side of the car park to link with the Kirtlington Road. For those users the visual context would change from that of a parkland scene to one of a car park framed by the building complex, which would dominate the views experienced, resulting in a significant adverse effect up to the point of connection to the road. Users of the diverted paved route along Kirtlington Road would now face the visual context of a highway and filtered views of the complex resulting in a significant adverse effect. None of this is documented in the LVIA.
- 7.13 Public footpath 161/11/10 continues north westward to Middleton Stoney and links with a bridleway 297/1/20, both of which cut across fields. For recreationalists walking southward along the footpath and in the vicinity of the site would see some roofscape of the complex in a rural scene which is generally absent of built form and would change the perception of the rurality of the area and cause an adverse effect, see viewpoint 2 and associated photomontage, LVIA.
- 7.14 At the start of footpath 161/10/10 at the over bridge (viewpoint 4) the scheme would be clearly visible initially causing a substantial adverse visual effect.

Lighting

- 7.15 A detailed lighting strategy was prepared by Hoare Lea responding to the wider context. It considers the potential impacts of light pollution including light glare, light trespass, encroachment and sky glow. The Officer's report at paragraph 9.151 notes that the Environmental Protection Officer raised no objections to the lighting proposals. The Officer comments that the lighting as planned will be

within the ILP Guidance and not at a level to cause a nuisance in terms of visual impact or residential amenity. However, there is no doubt that significant new lighting would be introduced as a result of the built complex and associated car parking, internal roads and traffic movement, both on site and off site in the locality. This would be in stark contrast to the existing golf course and its use restricted to daylight hours meaning that a dark landscape environment which currently exists on site and near site would be fundamentally changed in the night-time scene resulting in significant adverse visual effect in the locality with the proposed development in place. This detailed analysis is not documented in the LVIA.

Off Site Highway Improvements at Middleton Stoney and Use of Rural Lanes

- 7.16 Given the significant predicted visitor numbers to the resort, there would inevitably be a substantial increase in private vehicles using both the local rural lanes and the improved junction at Middleton Stoney, all of which would materially change the character and thus the appearance of these local highways and the profile of their visual amenity, resulting in adverse visual effects, something again not considered in the LVIA.

Summary regarding General Visual Amenity

- 7.17 The ZTV and actual visual envelope associated with the proposed development is geographically quite limited and is a consequence of the generally treed environment of the local rural landscape, much of which is associated with the nearby parklands and estates. However, whilst the zone of visibility is geographically limited, within this zone of visual influence the proposed development would be dominant and prominent in nearby views and to the detriment of the local visual amenity. Whilst there is some built form locally such as Bignell Park Barns and Bicester Golf Hotel, the scale and massing of these local buildings is modest and in the context of the treed landscape, low key in terms of their visual profile and where seen, these buildings are recessive in local views given the use of a local building stone, a feature of the area. A good example of this is the adjacent Bicester Golf Hotel and Bignell Park Barns, which only extends to two storey in general height with its vertical elements broken up and its form disaggregated in terms of building footprint. Because of the very low visual profile that these buildings generate, there is a strong sense of rurality given the absence of built form. The proposed development in contrast would as a result of

being dominant and prominent in local views materially change this rural appearance of the character of the area reflecting the fact that this proposal would result in substantial urbanisation, totally out of keeping with the character and appearance of the area.

8. VALUED LANDSCAPE

8.1 Valued landscape is specifically referenced in the NPPF in paragraph 170a as follows:

“Planning polices and decisions should contribute to and enhance the local environment by:

Protecting and enhancing valued landscapes, site of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the Development Plan.” (my emphasis)

8.2 The subject of valued landscape is also addressed in GLVIA3 from internal page 80, noting that value can be applied to areas of landscape as a whole, or to smaller areas and indeed individual elements. The starting point to consider this matter is the Framework and GLVIA3 and to look at the Development Plan.

8.3 I note that as far as the Local Plan is concerned, the site is not subject to a non-statutory landscape protection designation, nor does it fall within a statutory protected landscape.

8.4 I recognise that the site is an undesignated landscape. That is not to say that it does not have any value. GLVIA3 notes that where there is no existing evidence to indicate landscape value, it is appropriate to draw on a list of those factors that are generally agreed to influence value which are set out in Box 5.1, internal page 84. I proceed to consider the site in the context of these criteria as follows.

8.5 **Landscape Quality (Condition)** is really a measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements. In terms of landscape quality this is synonymous with condition. In this instance the site is highly managed and maintained to create a strong sense of a manicured landscape such that when the golfers are not present on the fairways and greens, the golf course very much appears much like the local parkland landscapes with standard trees and tree groups set within grasslands framed by perimeter tree belts. There is no doubt that the impression is one of a landscape of high quality in terms of its condition and appearance and as such, on a scale of high, medium, low would fall in the category of high quality.

8.6 **Scenic Quality** is a term used to describe landscapes that appeal primarily to the senses, primarily but not wholly the visual senses. For the reasons I have

articulated above, with regard to landscape quality, this equally applied with regard to scenic quality. There is no doubt that views of the golf course are attractive and as such this amenity landscape would fall in the high category.

- 8.7 **Rarity** reflects the presence of rare elements or features in the landscape or the presence of a rare landscape character type or area. There are only a few golf courses in the wider landscape and therefore in this regard the golf course landscape is quite rare locally.
- 8.8 **Representativeness** relates to where the landscape contains a particular character and/or feature of elements, which are considered particularly important examples. In this instance, the site comprises a wide range of landscape elements that are highly representative of the local landscape. In particular, the managed grasslands, tree groups and tree belts are all found locally in the estate parkland landscapes.
- 8.9 **Conservation Interests** relate to the presence of features of wildlife, earth science or archaeological or historical and cultural interest can add to the value of the landscape as a whole. The appeal site accommodates a wealth of ecological habitat (see proof by Dominic Woodfield), however approximately just over half of this would be completely lost to the development footprint. However, as the site stands at the moment, it has considerable wildlife value given the habitat areas that form the golf course.
- 8.10 **Recreational Value** What is relevant here is evidence that the landscape is valued for recreational activity. The whole site currently forms an operational golf course, which has high recreational and amenity value. This is amplified by the presence of a public right of way, which has recreational value in its own right but has the benefit of drawing upon the high visual amenity associated with the golf course as its immediate viewing context as amenity landscape. Given the combination of these two recreational elements, I would rate the site in the high category. This conclusion is supported by the Case Officer's report, which makes it clear that the site is valued for its recreational benefits. The report notes that the proposal would result in social harm through the loss of an existing area of recreational land. The Officer's report paragraph 7.52 notes that, with regard to the Ramblers Association response, the golf course is regarded as a valuable amenity. There is no doubt that this is a highly valued landscape by the local community in recreational terms.

- 8.11 **Perceptual Aspects** A landscape may be valued for its perceptual qualities, notably wildness and/or tranquillity. Either as a user of the golf course or public footpath, users are able to appreciate the experiential qualities of the site in terms of its scenic attractiveness and its sense of local tranquillity.
- 8.12 Concerning **Associations**, some landscapes are associated with particular people such as artists or writers. The site is not associated with any particular people or events in history in contrast to other areas locally.
- 8.13 When considering these various criteria 'in the round', it is apparent that this particular parcel of land does exhibit evidence that this landscape is a particularly valued environment that elevates it out of the ordinary everyday landscape. Whilst I accept that this is not necessarily a valued landscape in the context of the Framework, I would maintain that this is a highly valued landscape at the local level and this point comes across in the Officer's report and representations that have been made, particularly the Golf Club members and Ramblers Association.

Demonstrable Physical Attributes

- 8.14 A further benchmark to test value which has become common parlance is with respect to the Justice Ouseley's decision concerning valued landscapes with reference to 'demonstrable physical attributes.' In this instance, I would note that the site exhibits a combination of landscape elements that collectively resemble the local estate parklands but has the additional benefit of a public right of way passing through it, in contrast to many of the estate parklands, which remain private and inaccessible to the general public. This attractive amenity landscape, I would regard, is elevated above the ordinary, everyday farmed landscape.

Recreation and Leisure Team

- 8.15 The Case Officer report at paragraph 9.24 notes that the Council's Recreation and Leisure Team object to the development proposals on the grounds that it will lead to the loss of an 18-hole golf facility within the district. Furthermore, the Council's Sports Facilities Strategy (2018) concluded that whilst there was not a current deficiency in 2016, an additional 18-hole golf course or two 9-hole golf courses would be required by 2031 to meet the needs of additional development in the Bicester area. It goes on to note that it recommends that the existing golf facilities are protected. It therefore must be valued. It further notes in paragraph

9.27 in summary that the loss of the golf course represents a fundamental Reason for Refusal of planning permission. This further endorses my analysis that the site is a highly valued landscape by the community, albeit in a local context.

Summary concerning Valued Landscape

8.16 The NPPF is quite specific with regard to the term as it solely relates to statutory status or identified qualities set out in the Development Plan. To provide clarification, with regard to this point, I consider that there are effectively three tiers. The first and the highest category relates to those landscapes valued as set out in paragraph 170 of the Framework. This is followed by a second tier of landscapes, which, whilst not falling into the first tier in terms of the meaning 'valued landscape' are nonetheless absolutely valued by the local community at the local level. There is then, the third tier of landscape, which has no evidence base to demonstrate value and cannot be regarded as valued in any sense. It is evident from my analysis that the site itself is a valued landscape albeit at the local level and therefore clearly falls in the second tier.

9. EFFECTS ON RESIDENTIAL VISUAL AMENITY

9.1 Impacts upon residential amenity is not cited in the Reasons for refusal, issued by the Council however it is raised in the Officer's report landscape.

9.2 It is right to make a distinction between residential and general visual amenity. The latter term from a planning policy perspective usually relates to the public realm and the wider landscape whilst the former is concerned with the private visual amenity of an individual residential property.

9.3 The separation between what is a private interest and what should be considered in the public interest is clear. It is acknowledged that the approach outlined by Inspector Lavender at the Carland Cross Inquiry should not be regarded as a mechanistic test and has no status in terms of being part of statutory documentation, planning policy or guidance. Furthermore, it is noted that no individual has the right to a particular view but there does come a point where, by virtue of the proximity, size and scale of a given development, a residential property or properties would be rendered so unattractive as a place in which to live that planning permission should justifiably be refused. The test relates to the position, which would pertain with the proposed scheme in situ, irrespective of the position beforehand. In other words, the test is not whether, in relative terms, a property would become a substantially less attractive place to live, the test is whether viewed objectively and in the public interest a property would become an unattractive place in which to live. Such a situation if left unchecked would lead clearly to undesirable consequences.

9.4 At the Burnt House Farm Public Inquiry, the Secretary of State found it useful to pose the question:

"Would the proposal affect the outlook of these residences to such an extent, i.e., be so unpleasant, overwhelming and oppressive that this would become an unattractive place to live?"

9.5 The test of what would be unacceptably unattractive should be an objective test, albeit that professional judgement is required in its application to the circumstances of each particular case. There needs to be a degree of harm over and above an identified substantial adverse effect on a private interest to take a case into the category of refusal in the public interest. Change in the outlook from a property is not sufficient, indeed, even a fundamental change in outlook is not necessarily unacceptable.

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- 9.6 It is worthy of note that the visual component of residential amenity should be addressed “in the round” taking into account factors such as distance, direction of the view, size of the proposed dwellings and their layout, the layout of particular dwellings in terms of their floor plans, the garden environment, and the lines of sight towards the proposed development.
- 9.7 I have visited the site and the surrounding area where residential properties are located, mindful of the various parameters as identified in the preceding paragraphs and on that basis, I consider that there would be adverse effects on the visual component of the residential amenity to nearby properties.
- 9.8 To properties which are located off Kirtlington Road would have westward views towards the building complex. In particular, there are two residential properties being Stableford House and Vicarage Farm. Both of these are located very close to the site and the proposed building. A further residential property known as Tanora Cottage is located further east along the A4095 but would not be unduly visually affected due to distance and tree cover.
- 9.9 From the two properties, Stableford House and Vicarage Farm, given the sheer scale and size of the building complex, as seen from the existing residential properties, the development would be visually oppressive in terms of their views from their respective curtilages. Given the size and location of the proposed properties, the short distances involved, the orientation of the existing properties and the nature of the views the effects on their outlook, whilst would not cross the public interest test here, nonetheless there is no doubt that these properties and the quiet seclusion and tranquillity that they currently enjoy would be significantly compromised by the presence of the built form.
- 9.10 The proposed development would result in change to views and this would involve change to the composition of a number of private views. However, this predicted change in itself is not considered unacceptable, in private visual amenity terms. The Case Officer must have come to a similar opinion as this is not a matter cited in the putative Reasons for Refusal.
- 9.11 I note that the Officer’s report addresses residential amenity from paragraph 9.137 onwards. It states that the LVIA considers residential receptors. In close proximity to the site are two residential properties, Vicarage Farm and Stableford House. The LVIA notes that these properties would have direct and filtered views

with more open views from the upper floors towards the proposed development. This is due to the close distance and limited extent of tree cover along the boundary of the site.

- 9.12 Whilst the scheme would not breach the public interest test I refer to, I, like the Officers consider that there would be a substantial detrimental visual impact upon the residents of both properties. However, there is some physical separation, but it can be considered that the development would have a significant adverse impact on residential amenity in terms of impacting upon light, privacy, overlooking, with the building itself being significantly oppressive. Whilst I agree that these properties would not be rendered unattractive places within which to live, the presence of the development together with the significant activity of vehicles arriving and leaving would change the rural context that these properties enjoy to one which would be associated with a more urban environment. The properties would be visually affected as visual receptors, value, susceptibility and sensitivity would all be rated high with a high magnitude of change would result in a major adverse degree of effect in visual amenity terms for these two properties.

10. LANDSCAPE PLANNING POLICY CONTEXT

10.1 I comment on policies that are referred to in the fourth Reason for Refusal including the National Planning Policy Framework (NPPF) where relevant. My commentary is purely from a landscape and visual perspective with interpretation and comment on these policies from a planning perspective addressed by Mr Steven Sensecall (Carter Jonas) which is set out in his Planning Proof of Evidence. My Proof of Evidence should be read in conjunction with the planning proof together with the transport and ecology proof to provide planning analysis in the round.

National Planning Policy Framework (NPPF)

10.2 I note that the National Planning Policy Framework (NPPF 2) section 2 sets out a presumption in favour of sustainable development (paragraph 7).

10.3 Also, I note that NPPF paragraph 8 defines the three dimensions to sustainable development being economic, social and environmental. Section 15 is concerned specifically with conserving and enhancing the natural environment. In light of my analysis, I consider that the proposal would not accord with the Framework from a landscape and visual amenity perspective, as it would not comply with Paragraph 83 which states that:

“Planning policies and decisions should enable:

a) ...

b) ...

c) Sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) ...” (My emphasis)

Paragraphs 86 and 87

10.4 Paragraph 86 and 87 of the NPPF state that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date Plan. Main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre proposals preference should

be given to accessible sites, which are well connected to the town centre. The site is remote from urban areas and is located within a deeply rural environment.

Paragraph 127

10.5 Paragraph 127 states that:

“Planning policies and decisions should ensure that developments:

- a) **Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development**
- b) **Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping**
- c) **Are sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)**
- d) **Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit**
- e) **Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and**
- f) **Create places that are safe, inclusive and accessible and which provide health and wellbeing, with a high standard of amenity for existing and future users, and where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.” (my emphasis)**

10.6 The scheme as designed would result in a large monolithic built complex which would be unsympathetic to the local character of the countryside documented in the published assessments and would be at odds and contrary to the sense of place locally and as such would not accord with these policy objectives.

Paragraph 170

10.7 Paragraph 170 states that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) **Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the Development Plan)**
- b) **Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits that the best and most versatile agricultural land, and of trees and woodland**
- c) **Maintaining the character of the undeveloped coast, while improving public access to it where appropriate**
- d) **Minimising the impact on and proving net gains for biodiversity including by establishing coherent ecological networks that are more resilient to current and future pressures**
- e) **Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and**
- f) **Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.” (My emphasis)**

10.8 The proposed scheme would not protect, indeed would destroy a locally valued landscape and much of its existing biodiversity. The scheme would not respect nor respond to the intrinsic character and beauty (I understand this to mean visual amenity) of the countryside. Accordingly, the proposal would conflict with this paragraph.

Cherwell Local Plan (2011 – 2031) Part 1

10.9 The Cherwell Local Plan runs from 2011 through to 2031. Two policies are of particular relevance as set out below.

Policy ESD13 Local Landscape Protection and Enhancement

10.10 Policy ESD13 of the Local Plan advises that development will be expected to respect and enhance local landscape character and a number of criteria are highlighted including that development is not expected to cause visual intrusion

into the open countryside, must be consistent with local character and must not harm the setting of the settlement buildings or structures.

10.11 Policy ESD13 is concerned with local landscape protection and enhancement and states that:

“Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodland, trees and hedgerows.

Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:

- **Cause undue visual intrusion into the open countryside**
- **Cause undue harm to important natural landscape features and topography**
- **Be inconsistent with local character**
- **Impact on areas judged to have a high level of tranquillity**
- **Harm the setting of settlements, buildings, structures or other landmark features, or**
- **Harm the historic value of the landscape**

Development proposals should have regard to the information and advice contained in the Council’s Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS) and be accompanied by a landscape assessment where appropriate.” (My emphasis)

10.12 The appeal scheme whilst retaining the northern part of the golf course to provide open space, would lose a substantial area of the existing golf course to accommodate the development footprint including its car park. The nature of the scheme in terms of its sheer scale, size and massing and design (unremitting elevations) would be urban in character and as such would not achieve any net enhancement of the character and appearance of the landscape. Whilst a landscape masterplan is proposed, the overall net green infrastructure would be significantly reduced as a consequence of the scheme.

10.13 The development would not respect nor enhance the local landscape character. Indeed, the significant urbanisation would cause material harm and damage the local landscape character despite its visual intrusion being relatively limited. It would also be clearly inconsistent with the local character of the area which reads as deep countryside. The OWLS document makes clear what is required of development and as such it is clear that this scheme would not accord with this policy.

Policy ESD15 The Character of the Built and Historic Environment

10.14 Policy ESD15 is concerned with the character of the built and historic environment and notes that:

“Successful design is founded upon an understanding and respect for an area’s unique built natural and cultural context. New development will be expected to compliment and enhance the character of its context through sensitive siting, layout and high-quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the district’s distinctive natural or historic assets, delivering high-quality design that compliments the asset will be essential.

New development proposals should:

- **Be designed to deliver high quality safe attractive durable and healthy places to live and work in. development of all scales should be designed to improve the quality and appearance of an area and the way it functions.**
- ...
- **Contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within Conservation Areas and their setting.**
- ...
- **Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages.**
- **Reflect or, in a contemporary design response, reinterpret local distinctiveness, including**

elements of construction, elevational detailing, windows and doors, building and surfacing material, mass, scale and colour palette.

• ...

The design of all new development will need to be informed by the analysis of the context, together with an explanation and justification of the principles that having formed the design rationale. This should be demonstrated in the design and access statement that accompanies the planning application...for major sites/strategic sites and complex developments, design codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high-quality design is delivered throughout. Design codes will usually be prepared between outline and Reserved Matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.” (My emphasis)

10.15 The policy emphasises successful design noting that it is founded upon an understanding of the local context. It also notes that new development is expected to compliment and enhance the character of its context through sensitive siting and high-quality layout design. It is evident when comparing the design and style of the resorts in America that the appellant has simply cut and paste the American model template and superimposed it on the site here in the Cotswolds. As a consequence, the new development, whilst perhaps constructed of quality materials would not make any real positive contribution to the area’s character and identity, nor would it reinforce local distinctiveness so critical to create a ‘sense of place’ or ‘genius loci’. The proposal would not reflect the form, scale and massing of buildings found locally and as such would not reveal any indication that the proposal has been informed by the analysis of its context. Accordingly, the proposal would not accord with this policy. This area forms part of the Cotswolds and landscape features define this landscape. This scheme with its large-scale monolithic building and car park would provide no indication as to its rural location being urban in style and design and certainly has no design elements that would visually anchor this proposal in the Cotswolds.

Cherwell Local Plan 1996

10.16 There are two policies that are particularly relevant in the Cherwell Local Plan as set out below.

Policy C8

10.17 Policy C8 is concerned with sporadic development in the open countryside and states that:

“Sporadic development in the open countryside including developments in the vicinity of motorway or major road junctions will generally be resisted.” (My emphasis)

10.18 It goes on to note in paragraph 9.12 that sporadic development in the countryside must be resisted if it is attractive open rural in character, its open rural character is to be maintained. It goes on to note in paragraph 9.13 that Policy C8 will apply to all new development proposals beyond the built-up limits of settlements including areas in the vicinity of motorway or major road developments but will be reasonably applied to accommodate the needs of agriculture. The Plan recognises that there is increasing pressure for development in the open countryside particularly in the vicinity of motorway and junctions. It goes on to note that the Council will resist such pressures and will where practicable direct development to suitable sites at Banbury or Bicester i.e., the main towns.

10.19 The proposed development would result in significant urbanisation and be perceived as creating sporadic development as it would be isolated development in the open countryside in the vicinity of a motorway as an outlier of major development and as such would not accord with this policy.

Policy C28

10.20 Policy C28 is concerned with controlling new development and notes that:

“Control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as conservation areas, the Areas of Outstanding Natural Beauty and Areas of High Landscape Value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.” (My emphasis)

10.21 In the explanatory memorandum relating to this policy the Local Plan notes in paragraph 9.66 that the standard of design acceptable to the District Council will be influenced by the environmental context of the site and its surroundings and

the nature, size and prominence of the development proposed. Design considerations will when appropriate include the siting layout, size, scale, architectural style, building materials, means of enclosure and landscaping of new buildings and associated land uses. The Council will seek to avoid discordant or badly designed development that would harm the appearance and character of the existing built environment, or the countryside which is the case here.

10.22 It goes on to note in paragraph 9.68 that it is not the object of Policy C28 to suppress innovation or creativity of design, in order to promote the creation of an interesting and attractive built environment. The Council will encourage variety and design provided that the appearance of the proposed new development is sensitive to the particular site and is in harmony with the general character of its surroundings.

10.23 The proposed development in terms of its sheer scale, dimensions of the unremitting elevations, layout design and external appearance would not be sympathetic to the character of the local rural context for reasons I have set out in my proof and would therefore conflict with this policy. Examination of the parameters of the complex, its footprint, height, volume, elevations all point to an enormous building unlike anything found locally (see appendix 5). Such is the scale of this complex, that within the essentially rural district, it would probably feature as one of the largest buildings, which gives a sense of its truly exceptional size. Its style and detailed design would not create any sense of being located in a Cotswold landscape.

Summary

10.24 I consider that the appeal scheme would conflict with the NPPF and the Development Local Plan for the reasons articulated in this section of my proof. Specifically, the scheme would conflict with paragraph 8, 86 and 87, paragraph 127 and paragraph 170 of the Framework. In terms of the Cherwell Local Plan (2011-2031) the scheme would offend policies ESD13 and ESD15, as well as the saved policies, C8 and C28 of the Cherwell Local Plan 1996.

11. SUMMARY AND CONCLUSIONS

Introduction

- 11.1 My name is Andrew Cook and I hold a Bachelor of Arts degree in Geography (BA Hons) and a Masters Degree in Landscape Design (MLD). I am a Chartered Landscape Architect, Chartered Member of the Landscape Institute (CMLI), Chartered Environmentalist (C Env) and Member of the Institute of Environmental Management and Assessment (M IEMA).
- 11.2 I am instructed on behalf of Parishes Against Wolf (PAW) thereafter referred to as the Rule 6 Party or PAW to present evidence relating to landscape and visual matters in respect of the appeal relating to the redevelopment of part of the Bicester Golf Course to provide a new leisure resort (sui generis) incorporating water park, family entertainment centre, hotel, conferencing facilities and restaurants with associated access, parking and landscaping.
- 11.3 My landscape proof of evidence comprises this document and a separate A4 folder, which forms my appendices. This evidence should be read in conjunction with the planning proof of evidence prepared by Steven Sensecall and the other statements submitted on behalf of PAW.

Nature of Effect

- 11.4 I am aware that people on the whole generally adopt an adverse reaction to change, particularly with regard to their local environments, with which they are very familiar and therefore tend to adopt a rather negative stance, and adverse reaction to any change, irrespective of whether it's harmful or indeed beneficial and can be therefore emotive. However, putting that aside, it is my professional judgement that the scheme would be wholly out of keeping in terms of both character and appearance with the area, and as such I consider it would be adverse in terms of nature of effect, rather than neutral or beneficial (unless I otherwise specifically state in my proof).

Description of the Appeal Scheme

- 11.5 The application seeks full planning consent for the redevelopment of part of a golf course to provide a new leisure resort including a water park with external slide tower, family entertainment centre, 498 room hotel, conferencing facilities and restaurants with associated access, parking and landscaping. To the north of the built complex of the development, publicly accessible open space is intended to

be provided with nature trails, play space and picnic areas. The water park and hotel proposed is the first of its kind in the UK and Europe, proposed by Great Wolf Resorts, an American company who own and operate a chain of indoor water parks in the United States and Canada.

11.6 The proposed leisure resort at Chesterton (see Officer report) includes:

- 498 bed hotel (27,250m²)
- Indoor water park (8,340m²) with external slide tower (height 22.5m)
- Family entertainment centre including an adventure park, food and beverage and merchandise retail, conferencing and back of house (12,350m²)
- The adventure park will provide activities including ropes course, climbing wall, mini golf, family bowling, arcade games and an interactive role-playing game
- Associated access and landscaping
- 902 new parking spaces
- Public parkland (6 hectares) including nature trails and play spaces

11.7 The hotel comprises 498 bedrooms typically ranging from two to six bed spaces. This along with the amount of parking proposed indicates that the number of guests on site at any one time is likely to be between 1,000 – 2,000 at peak periods. The appellant has indicated that the average length of stay for a family is 1-2 nights.

11.8 The indoor water park is an anchor of the Great Wolf Lodge. It will include a range of water park attractions, including slides, lazy rivers, toddler pools and wave machines. It is designed for use by a target audience of families with children of ages between 2 to 12 years of age. The conference centre would be supported by a small outdoor terrace overlooking west beyond which is the public nature trails area. It is clear that this proposal provides an indoor facility and does not need to rely upon a rural context in order to operate, hence the many city centre locations.

Effect on Landscape Elements

11.9 In overall terms the appeal scheme would result in substantial adverse effects with regard to the overall landscape elements that currently define the landscape character of the site. The site would change from a golf course to a large-scale hotel resort complex. Many elements that currently contribute to defining the character of the site, namely trees, fairways and greens, water features would be

simply lost or significantly reduced when compared against the current profile of the site.

Effect on Landscape Character

- 11.10 It is apparent from my analysis of the published Landscape Character Assessments that the environment which forms the local context for the proposed development is overwhelmingly rural in character with only limited passing references to built form and infrastructure, unlike other Landscape Character Areas. Both at the national and local level, there is recognition that whilst the majority of the landscape is defined by farmland, subdivided by fields and their boundaries defined by trees and treecover, hedges and dry-stone walls, there is much recognition that the extensive parkland landscape makes a significant contribution in defining the character and rural appearance of this particular local landscape. This site contributes to that scene and perception.
- 11.11 This is particularly evident in the vicinity of the site. Immediately to the north of lies an extensive parkland known as Bignell Park whilst a short distance to the north west of the site lies the extensive parkland of Middleton Park. Further west of this lies Rousham. Furthermore, lying south west of the site lies Kidlington Park. At its heart, the local landscape has a strong parkland feel, which is reinforced by the current golf course site with its parkland qualities.
- 11.12 With all of these local estates, their parklands have a number of common defining characteristics in that they typically reveal tree belts around their perimeters to physically and visually contain the properties from the landscape beyond, so that they are effectively visually enclosed units, whilst within the estates themselves, the landscape is almost entirely managed as grassland, whether grazed by stock or mechanically mown, but either way creates a strong sense of openness with the grassland. These sweeping meadows and lawns are invariably punctuated with groups of trees, with standard trees judiciously located to provide key internal views and vistas.
- 11.13 These defining elements are common to all these local parkland estates. Significantly, the existing golf course that falls within the appeal site has all of these key characteristics with perimeter treecover along the northern and western boundaries, with the whole site managed as grassland in the form of greens and fairways, punctuated with arrangements of treecover and shrubs to create views and vistas (to facilitate golfing in this instance). This is also the case

with other nearby golf courses such as Magnolia Park Golf and Country Club near Honeyburge. These are features that are key to defining the local landscape.

11.14 As a result, there is substantial commonality in terms of the appeal site's landscape character when compared to other extensive areas of rural land located in the countryside. The only material difference is that the estates tend to be for private use whereas the appeal site facilitates golfing for the paying public as a leisure pursuit. It is this combination of private or semi-private parks and surrounding farmland that collectively is considered to represent this quintessential English countryside that is recognised the world over as the Cotswolds. There is no doubt that the appeal site exhibits many of the key characteristics that collectively define this well known and well recognised Cotswold landscape.

11.15 In contrast, with this baseline position and existing landscape character, the proposed development with its monolithic substantial built form and extensive car park exhibits all the hallmarks of an urban environment so typical of the existing Great Wolf resorts found in the cities across the United States. Therefore, inevitably in landscape character terms, the proposed development would introduce an urban environment on the site where none exist currently, nor in the surrounding countryside and as such would be totally out of character with this rural environment. It would be more in keeping with the nearby urban area of Bicester and other nearby towns. The proposal would also have a strong urbanising influence upon the adjacent countryside in the vicinity, particularly where seen from public vantage points and residential properties. There is no doubt that this proposal would have a significant (major adverse) effect in landscape character terms.

Effects upon Visual Amenity

11.16 I acknowledge that the ZTV and actual visual envelope associated with the proposed development is geographically quite limited and is a consequence of the generally treed environment of the local rural landscape, much of which is associated with the parklands and estates. However, whilst the zone of visibility is geographically limited, within this zone of visual influence the proposed development would be dominant and prominent in nearby views and as such detrimental to the local general and residential visual amenity.

11.17 Whilst there is some built form locally such as Bignell Park Barns and Bicester Golf Hotel, the scale and massing of these local buildings is modest and in the context of the treed landscape, low key in terms of their visual profile and where seen, these buildings are recessive in local views given the use of a local building stone, characteristic of the local vernacular architecture of the area. A good example of this is the adjacent Bicester Golf Hotel and Bignell Park Barns, which only generally extends to two storey in height with their vertical elements broken up and form disaggregated in terms of building footprint. Because of the very low visual profile that these buildings generate, there is a still strong sense of rurality given the absence of built form. The proposed development in contrast would as a result of being dominant and prominent in local views materially change this appearance of the character of the area reflecting the fact that this proposal would result in substantial urbanisation, totally out of keeping with the character and appearance of the area.

Development in a sensitive valued landscape

11.18 When considering these various criteria 'in the round', it is apparent that this particular parcel of land does exhibit material evidence to demonstrate that this land is a particularly valued environment that elevates it out of the ordinary everyday rural farmland landscape. After all, it is a locally cherished amenity landscape at its heart. Whilst I accept that this is not necessarily a valued landscape in the context of the Framework, paragraph 170, I would maintain that this is a highly valued landscape at the local level and this point clearly comes across in the Officer's report and representations that have been made.

11.19 A further benchmark to test value which has become common parlance is with respect to the Justice Ouseley's decision concerning valued landscapes with reference to 'demonstrable physical attributes.' In this instance, I would note that the site exhibits a combination of landscape elements that collectively resemble the local estate parklands but has the additional benefit of a public right of way passing through it, in contrast to many of the estate parklands, which remain private and inaccessible to the general public. It clearly does have demonstrable physical attributes that are recognised as defining characteristics of the local landscape and elevates it out of the everyday farmland landscape.

Size, scale and massing would cause significant urbanisation

11.20 The sheer size, scale and massing of the proposed development is substantial which is best illustrated by reference to the site wide cross sections drawing reference no: TP0103 prepared by EPR Architects. In particular, the first section in this drawing referred to as section 1-1 provides the opportunity to compare and contrast the proposed Great Wolf Lodge with the nearby Bicester Golf Hotel. Just in terms of cross-sectional analysis alone, the proposal is twice the height and three times the width and a greater magnitude in terms of volumetric calculation. (I calculate this to be in the region of a third of a million cubic metres which is massive). This is a rural landscape at its heart punctuated with a number of estate parklands with associated country houses but even these very large properties pale into insignificance in terms of size, scale and massing when compared with the Great Lodge resort built complex. This is also borne out by reference to the development footprint of the proposal in appendix 5 which shows the grain of the local landscape and just how the proposed development would be at odds in terms of size, scale and massing. As a consequence of these parameters, the proposed development would cause significant urbanisation on site and have a strong urbanising influence, due significant overdevelopment.

Development proposed in its location in the open countryside would cause significant urbanisation

11.21 As set out above significant urbanisation would come about as a consequence of this scheme. This perhaps might be wholly appropriate in an urban environment, such as Bicester or other nearby town, a benchmark being the landscape grain analysis, appendix 5. However, the appeal site is not in a town. Indeed, it is not even edge of town but located some distance away as an outlier from any sizeable settlements in the area and as such is located in countryside both in terms of the Development Plan and in reality. The countryside is locally defined by a range of green infrastructure, primarily comprised of farmland subdivided into fields punctuated with some estate parklands. This would form an urban outlier. As such, for the reasons articulated the development proposed would be located in open countryside yet cause significant urbanisation, both on and near site.

Significant urbanisation would cause unacceptable harm to the character of the area

11.22 The character of the area is documented at the national and local level being identified as the Cotswolds and locally as the Wooded Estate lands, which have been referred to as quintessential English countryside. The local landscape type provides a clue in the name as to what is present locally, i.e., a relatively wooded landscape but with parkland estates. The golf course in terms of its landscape character when considered in its totality has significant commonality with these parklands which collectively reflect and are the key characteristics that define the local landscape.

Significant urbanisation would cause unacceptable harm to the appearance of the area

11.23 This characterisation informs the appearance of the area. Whilst there is some built form locally, it is relatively modest and recessive in nature and adopts a low visual profile (e.g., golf hotel) and as such the appearance of the landscape remains overwhelmingly rural in character. Such significant urbanisation of the site would be unacceptably harmful to the appearance of the area.

Harm to the rural setting of the village

11.24 The village of Chesterton lies a short distance to the east of the appeal site. Despite Bicester's recent growth, the village retains a strong rural context in both physical and visual terms. Development on the site as proposed would introduce significant urbanisation of the site and exert strong urbanising influences upon the adjacent landscape which in itself contributes to the rural setting of Chesterton. The scheme in such close proximity would, as a result, harm the rural setting of this village, in terms of its landscape context.

Harm to the amenities enjoyed by users of the public right of way

11.25 A public right of way currently runs through the site and benefits from the golf course's visual amenity that provides an attractive context to the route. For the length of footpath within the site itself, this amenity would be totally lost as a consequence of the development. With the development in place, users of this route would have to take the diverted route passed and alongside the monolithic building complex, walk alongside the internal roads and car park with associated traffic movement to exit the site and come onto the Kirtlington Road. At which point, pedestrians would have to walk on a roadside pavement until re-joining the

unaffected route further west. Such change in the viewing experience for users of this route would be significantly adverse and materially harmful.

Failure to reinforce local distinctiveness

11.26 Analysis of the American resorts clearly reveals the standard approach to the building complex and resort design which has been lifted and placed on the site with no genuine regard to the site-specific circumstances pertaining to the site's landscape context. This scheme neither respects, conserves nor enhances the local distinctiveness of the site and its rural context as explained in my proof. The scheme also fails to reinforce the local distinctiveness of the area. In simple terms, whilst I understand the nature of the scheme proposed, it is simply the wrong development in the wrong place.

Summary

11.27 For the reasons outlined above and articulated in my landscape proof of evidence, I consider that the appeal scheme would conflict with the NPPF and Policies ESD13 and ESD15 of the Cherwell Local Plan (2011 – 2031) Part 1, saved policies C8 and C28 of the Cherwell Local Plan 1996. As such, there are substantive reasons for refusing planning permission from a landscape perspective and I respectfully request that the Inspector dismisses this appeal as far as landscape and visual matters are concerned.