



Land at Berry Hill Road, Adderbury, Oxfordshire

Appeal Statement: Landscape and Visual

Nigel Evers

Viridian Landscape Planning

July 2020

LPA reference 19/00963/OUT

On behalf of Hollins Strategic Land





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Project no. 2713

Final

July 2020

	Name	Position	Signature	Date
Prepared by:	Nigel Evers	Director		17/07/2020
Reviewed by:	Lindsey Evers	Director		17/07/2020



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1 INTRODUCTION

1.1 PROFESSIONAL STATEMENT

- 1.1.1 My name is Nigel Evers. From October 2013 until April 2017 I was Director of Landscape at Peter Brett Associates LLP (PBA) and before that a Director at Cooper Partnership Limited. I have been a Director of Viridian Landscape Planning Ltd (VLP), an independent landscape consultancy, since its formation in October 2017.
- 1.1.2 I hold a Diploma in Landscape Architecture; I am a Chartered Member of the Landscape Institute (CMLI) and have been practising as a Landscape Architect since 1978. My professional experience has included a broad range of landscape planning and design projects, including major design schemes, new highways, and environmental impact assessments, preparing evidence for Public Inquiries, and acting as expert witness.
- 1.1.3 I have wide experience of landscape design and landscape planning throughout England, Scotland, and Wales. I have been responsible for projects with public clients, such as Bedford Borough Council, City and County of Swansea, South Gloucestershire Council and Mid Devon District Council; private clients include Taylor Wimpey, Kier, Edenstone, MF Freeman, Redrow Homes, Wainhomes, CALA Homes and Gryphonn Quarries; and community groups in Cardiff, Lincolnshire and Gloucestershire.
- 1.1.4 My evidence is set out below and is given in accordance with the guidance of the Landscape Institute, which is my professional institution. I confirm that the opinions expressed are my true and professional opinions.

1.2 COMMISSION AND PLANNING APPLICATIONS

- 1.2.1 This **Landscape and Visual Statement** has been prepared on behalf of Hollins Strategic Land (HSL) in support of its appeal against the decision of Cherwell District Council to refuse outline planning permission for resubmission of application 19/00963/OUT–Outline application for permission for up to 40 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road. All matters are reserved other than access.
- 1.2.2 I have been involved with the project since June 2017 when PBA was commissioned to undertake the Landscape and Visual Appraisal (LVA) of the site and its suitability for development. After discussions with the landscape officer, VLP was subsequently commissioned by HSL to produce an Addendum, largely consisting of Landscape and Visual Effects tables based on the predicted effects from the original PBA viewpoints and additional viewpoints. It was accompanied by a methodology which expanded the original in the LVA to cover the addition of the tables. All photographs used in the Addendum were taken in winter conditions in January 2018. The tables considered



the effects on landscape (including landscape character) and people's views and visual amenity, as separate assessment components.

- 1.2.3 The tables did not form part of an LVIA, which is often part of a wider Environmental Impact Assessment, but instead were a supplement to the LVA, providing more detail on the likely effects of the proposal.
- 1.2.4 The Addendum was produced in February 2018.
- 1.2.5 During the first application process, the 60-unit scheme was replaced by a layout comprising up to 55 units. The District Council subsequently refused planning permission for the scheme.
- 1.2.6 VLP was involved in the subsequent design of a scheme for up to 40 dwellings which formed part of a resubmission. VLP also produced a Revised Addendum (September 2019), which considered the revised scheme in comparison with both the refused scheme for up to 55 dwellings and the original scheme of up to 60 dwellings. The most significant changes were that in the refused and revised schemes:
- the northern edge of the development had been drawn back to the south, by between 15m and 30m when compared with the original scheme, increasing the area of open space;
 - dwellings which were along the eastern boundary in the original scheme were removed, increasing the separation from that boundary, and replacing housing with an additional 0.3 ha of open space in that area; and
 - The vehicular access was moved from close to Last House to the location of the existing access with a pedestrian link close to Last House, in response to comments relating to views of the church.
- 1.2.7 The Methodology remained unchanged from that of the Addendum.
- 1.2.8 VLP has been retained by HSL for its appeal against the Council's most recent refusal of planning permission.

1.3 REASONS FOR REFUSAL

- 1.3.1 Of the three Reasons for Refusal, Reasons 1 and 2 contain points which are relevant to landscape and visual issues and which read as follows:

1. The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury, with no further development identified through the Adderbury Neighbourhood Plan 2014-2031, is considered to be unnecessary, undesirable and unsustainable development. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, BSC1, SLE4



and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

2. The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Adderbury Neighbourhood Plan 2014 - 2031) causing significant urbanisation and its visual impact on the rural character, appearance of the locality and local settlement pattern, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011- 2031) Part 1, Saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Adderbury Neighbourhood Plan - 2014 - 2031 and Government guidance contained within the National Planning Policy Framework.

1.4 SCOPE OF EVIDENCE

- 1.4.1 This Statement uses as its basis the LVA (October 2017), its Addendum (February 2018) and the Revised Addendum (September 2019) prepared for the planning application, which are summarised and, where appropriate, expanded in section 3 below. The Statement considers the proposals in the light of the Reasons for Refusal.



2 POLICY CONTEXT

2.1 PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK

2.1.1 A revised version of the NPPF was published in June 2019 and so I have taken the opportunity to update the relevant LVA text, as set out below.

2.1.2 Set out at paragraph 8 are three overarching objectives to achieve sustainable development, two of are relevant to this case. They are:

*b) a **social objective** - ... by fostering a well-designed...built environment, with accessible...open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an **environmental objective** - ...to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently...*

2.1.3 Under 'Open space and recreation', paragraph 96 explains that:

Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.

2.1.4 Paragraph 98 sets out that:

Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

2.1.5 Under: 'Achieving well-designed places', paragraph 127 states that planning 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...;

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

f) create places that are safe, inclusive and accessible...

2.1.6 From 'Conserving and enhancing the natural environment', paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment by, inter alia:

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....

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...

2.1.7 Note that the requirement of criterion b) is to recognise the intrinsic character and beauty of the countryside. The requirement to protect and enhance is only relevant to criterion (a). However, there has been no suggestion that the site is a valued landscape; neither does it have any statutory status or identified quality in the development plan.

2.1.8 It is notable that areas of importance to the village and its setting have been identified in the Neighbourhood Plan, including:

- Policies Map inset A showing existing, and opportunities for, green infrastructure (Appendix M); and
- Inset Map B showing Local Green Spaces, Local Open Spaces and Local Gaps.

2.1.9 The site is not included in any of those, although the footpath across the northern edge of the site is identified as existing Green Infrastructure.

THE CHERWELL LOCAL PLAN: RELEVANT POLICIES FROM REASON FOR REFUSAL

2.1.10 Reason for Refusal 1 cites Policies ESD1, BSC1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, and Saved Policy H18 of the Cherwell Local Plan 1996. None of those policies are relevant to Landscape and Visual issues except Villages 2.

2.1.11 Reason for Refusal 2 cites Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011- 2031) Part 1, Saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, and Policy AD1 of the Adderbury Neighbourhood Plan - 2014 – 2031. These are addressed below.



2.1.12 Policy Villages 2 from the 2011 – 2031 plan sets out the following at page 250, inter alia:

In identifying and considering sites, particular regard will be given to the following criteria:

- *Whether the land has been previously developed land or is of lesser environmental value;*
- *Whether significant adverse impact on heritage or wildlife assets could be avoided;*
- *Whether development would contribute in enhancing the built environment;*
- *Whether significant adverse landscape and impacts [sic] could be avoided.*

2.1.13 Note that the policy does not refer to all impacts, but only to significant landscape (and presumably visual) impacts. My assessment of the significance of such impacts (or effects) is set out in both Addenda to the LVA and in this Statement. Some adverse effects are inevitable with any development on greenfield land, but it is the significance of those effects that is important both in terms of assessment practice and the policy.

2.1.14 Policy ESD 13: Local Landscape Protection and Enhancement, states:

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 woodlands, 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.

2.1.15 The policy accepts that harm may occur, which is not 'undue' harm, and it can be mitigated.

2.1.16 Policy ESD 15: The Character of the Built and Historic Environment states that:



New development will be expected to complement 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 complements the asset will be essential.

New development proposals should (inter alia):

- *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.*

2.1.17 Saved Policy C8 from the 1996 Local Plan states:

Sporadic development in the open countryside including developments in the vicinity of motorway or major road junctions will generally be resisted.

2.1.18 The commentary sets out at 9.12 that:

Sporadic development in the countryside must be resisted if its attractive, open, rural character is to be maintained.

2.1.19 At 9.13:

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. There is increasing pressure for development in the open countryside particularly in the vicinity of motorway junctions. The Council will resist such pressures and will where practicable direct development to suitable sites at Banbury or Bicester.

2.1.20 Saved Policy C27 requires that development proposals in villages will be expected to respect their historic settlement pattern. The commentary explains at 9.64 that:

The settlement pattern of a village can be as important to its character as the buildings. Proposals which would result in the obliteration of part of an historic plan form or fail to respect the traditional settlement pattern will be considered contrary to policy and will be resisted.



2.1.21 At 9.65 it is stated that:

Particular attention will be paid to policy C27 within the existing and proposed conservation areas where the character of the settlement is particularly sensitive to change.

2.1.22 Saved Policy C28 explains 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 area 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.

2.1.23 However, this would appear to be a reserved matters policy, and does not seem relevant for this stage of the proposals.

2.1.24 Saved Policy C33 sets out that:

..the council will seek to retain any undeveloped gap of land which is important in preserving the character of a loose-knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value.

2.1.25 It is not clear how this policy relates to the site or the village, as the settlement is not loose knit, no important gaps have been identified in the Local Plan or the Neighbourhood Plan which include the site, and there is no issue in the reason for refusal relating to listed buildings or views of recognised amenity.

2.1.26 The supporting text at 9.76 explains that not all undeveloped land:

...within the structure of settlements can be built on without damage to their appearance and rural character. Where the existing pattern of development is loose-knit there will often be a compelling case for it to remain so for aesthetic, environmental or historical reasons.

2.1.27 At 9.77, proposals that would:

...close or interrupt an important view of a historic building eg a church or other structure of historical significance, will be resisted under this policy. The Council will also have regard to the importance of maintaining the setting of a listed building and will resist infill development that would diminish its relative importance or reduce its immediate open environs to the extent that an appreciation of its architectural or historical importance is impaired.

2.1.28 Closing or interrupting an important view of an historic building or the setting of a listed building are not issues that have been identified in the Officer's Report for the Planning Committee of 16 January 2020 or in the reasons for refusal. In contrast, Historic England, in their comments quoted in the Officer's Report at 7.26 remark that



the indicative layout shows adjustments which could result in improved views of the church from Berry Hill Road and that views from within the site could be enhanced.

2.1.29 9.78 sets out that proposals:

...that would close or interrupt an important vista across open countryside will also be discouraged, as will the loss of trees of amenity value or the loss of features such as boundary walls where they constitute an important element of an attractive or enclosed streetscape.

2.1.30 The Adderbury Neighbourhood Plan 2014 – 2031 was adopted in July 2018. Policy AD 1: Adderbury Settlement Boundary reads as follows:

Proposals for infill development within the boundary will be supported...

Development proposals will not be supported outside the Adderbury Settlement Boundary unless it is demonstrated they will enhance, or at least not harm, local landscape character. New isolated homes in the countryside will not be supported except in special circumstances described in paragraph 55 of the Framework. Proposals for the provision of affordable housing on rural exception sites immediately adjacent to the Adderbury Settlement Boundary will be supported where they meet an identified local need and relate well to the built form of the existing settlement.

2.1.31 On Policies Map Inset C, the Neighbourhood Plan identifies 12 character areas within the settlement boundary, some based on those in the Adderbury Conservation Area Appraisal. The nearest to the site is Berry Hill Road and St Mary's Road, which was not covered in the Appraisal as it is outside of the Conservation Area. At paragraph 5.53, the Neighbourhood Plan describes the area as including:

the main approaches to the village from the southeast and southwest. There are two particular areas within this larger area, which are worthy of consideration. The Berry Hill Road and St. Mary's Road/ Norris Close. Both areas comprise 20th century housing. Berry Hill Road is characterised by substantial properties set well back from the road with extensive grass verges in front and large front gardens. St. Mary's Road and Norris Close have mixed development of detached/semi-detached two storey houses and bungalows. They are characterised by large front gardens enclosed for the most part with low walls, and grass verges along the roadside.

2.1.32 The character area description does not refer to a linear form of development being an important characteristic for this part of Adderbury, as alleged by the LPA at 9.40 and 9.43 in the Officer's Report, amongst other locations.



3 LANDSCAPE AND VISUAL BASELINE: THE EXISTING SITUATION

3.1 APPROACH

- 3.1.1 I prepared the LVA after discussion with the client, when we considered whether a Landscape and Visual Impact Assessment (LVIA) or an LVA would be appropriate. An LVIA is normally undertaken when there are likely to be significant landscape or visual effects anticipated, and most often as part of an EIA. Given the lack of sensitive landscape and visual receptors, that was, in my view, a proportionate response to the specific issues of the site and the proposals.
- 3.1.2 In post application discussions with the Landscape Officer from the Council, it was agreed that VLP would produce an Addendum to the LVA to include Landscape and Visual Effects Tables based on the predicted effects from the original PBA viewpoints, as well as any additional viewpoints, all photographed in winter conditions in January 2018. The landscape officer was concerned that there were no views in the LVA from all cardinal points, although that was a result of the original site working identifying that there was very limited visibility from the wider landscape. The tables provided additional detail on the effects of the proposals on landscape character and features and on public views and visual amenity, as separate assessment components.
- 3.1.3 The Addendum was produced in February 2018. The methodology is in **Appendix A** and the tables themselves are in **Appendices B** and **C**.
- 3.1.4 As I anticipated, the additional site work did not identify any views in the wider landscape from which the proposals were likely to be clearly visible and nor would the proposals cause undue harm in those views. It is clear that a key characteristic of this site is its limited visibility.
- 3.1.5 There were no requests for additional viewpoints nor were there any concerns communicated to me by the Council concerning the methodology used.

3.2 SCOPE OF THE LVA AND ADDENDUM

- 3.2.1 For convenience and ease of reference for the hearing, the LVA, Addendum and Revised Addendum are summarised, supplemented and consolidated below, but they can be read in full in the application documents.
- 3.2.2 The LVA and the Addendum present the methodology, context and results of the landscape and visual appraisal process and the Landscape and Visual Effects Tables, including aims and objectives of the proposed landscape strategy, which underpins the proposed landscape design for the scheme.



3.2.3 The figures from the LVA are included as **Appendix D** of this evidence, the accompanying photographs from the Addendum, taken in January 2018, form **Appendix E**. Note that foliage on trees provides the most favourable filtering and screening effects and therefore winter photographs have been used as the 'worst case' basis for the LVA and the Addendum.

3.2.4 To provide information for the landscape and visual appraisal process, the following figures were prepared (**Appendix D**):

- L1: Topography;
- L2: Landscape Planning Context;
- L3: Landscape Character;
- L4: Photograph Location Plan;
- L5: Landscape and Visual Opportunities and Constraints; and
- L6: Landscape Strategy Plan and Indicative Species List.

The LVA considered:

- Features of the site and its context;
- Landscape-related planning designations;
- Landscape character, the character of the site, and its relationship to its surroundings;
- Views towards the site;
- A landscape strategy designed to integrate the proposed development into its surroundings; and
- Changes to landscape features, landscape character and views arising as a result of the development proposals.

Both the Addendum and the Revised Addendum included:

- Appendix A: Viewpoint Photographs; and
- Figure L1: Viewpoint Location Plan.

3.2.5 The Addendum also included the Landscape Effects and Visual Effects Tables.



3.3 LANDSCAPE RELATED DESIGNATIONS

- 3.3.1 The landscape planning context for the site is shown on **Figure L2** in **Appendix D**. The site is not within any national designation, such as an Area of Outstanding Natural Beauty, or more local designation such as a Special Landscape Area or Green Gap. Additionally, at no point in the consideration of the application has the Council suggested that the site is part of a Valued Landscape, nor has the Council undertaken an objective exercise at the Local Plan stage to establish if the site or the surrounding landscape should be considered valued.
- 3.3.2 The Neighbourhood Plan did not identify the site as of being of any particular importance for the village, such as green space or open space, apart from the footpath across the northern edge being part of the green infrastructure of the village.
- 3.3.3 There are no Registered Historic Parks and Gardens, Scheduled Monuments or Ancient Woodlands on the site, or within the 2km study area.
- 3.3.4 There are listed buildings within the village of Adderbury to the north and west of the site. The nearest is The Leys Cottage (Grade II), 200m to the north-west of the site.
- 3.3.5 Adderbury Conservation Area covers the village of Adderbury to the north and north-west of the site. The Conservation Area is located 120m to the north-west of the site, at the nearest point. Much of the Conservation Area is separated from the site by the former railway embankment, and intervening topography and vegetation prevents more than glimpsed intervisibility with the site.
- 3.3.6 The spire and upper parts of the tower of the Church of St Mary the Virgin, within the Conservation Area, are clearly visible from within the site.
- 3.3.7 There are several Public Rights of Way in the area. The nearest are:
- footpath 101/13 outside of the eastern boundary;
 - footpath 101/6 within the northern edge of the site;
 - footpath 101/24 one field depth to the west of the site; and
 - bridleway 101/9 to the south-east, opposite the junction between Berry Hill Road and Oxford Road (A4260).
- 3.3.8 Those footpaths are all amenity footpaths for residents, which form part of the local network through and around the village. They include routes:
- between houses, along back garden fences and even across the end of one garden in the case of footpath 101/24;



- between hedges, partly in a holloway and with infrequent and filtered views of the site and the countryside to the east, in the case of footpath 101/13; and
- emerging between houses from the residential street called The Leys, before crossing a couple of small fields, then entering the site with views uphill and across the paddocks, electric fences and stables of the site to the houses along Berry Hill Road on the skyline from footpath 101/6.

3.3.9 Bridleway 101/9 is largely enclosed by hedges as it heads south-eastwards from Oxford Road.

3.3.10 There are no meaningful links to long distant trails or routes, and the paths are not within designated landscapes. There are mostly circular walks, influenced by the adjacent urban edge and form, to and in the vicinity of the settlement. As a result, the expectations of the user are less than on a path within, say, a National Park or one that is part of a long-distance route. The footpaths also have limited visibility of the wider countryside beyond their enclosing hedges and landform.

3.4 LANDSCAPE CHARACTER

3.4.1 The site is located to the south and south-east of the historic core of the village, and east of and adjacent to the 20th century development at Berry Hill Road, Milton Road and St Mary's Road.

3.4.2 **Figure L3: Landscape Character** illustrates the published landscape character areas applicable to the site and surrounding area, which are at National, County and District level. Although described in more detail at 3.6.4 of the LVA, given the large area of the NCA when compared with the site, any effect would be negligible and the NCA is not considered further here.

3.4.3 The Oxfordshire Wildlife and Landscape Study (Oxfordshire County Council, 2004) provides a county level assessment of landscape character. The site falls into an area of Landscape Character Type 16: Upstanding Village Farmlands. Key characteristics of this landscape character type are:

A steep-sided, undulating landform;

A well-defined geometric pattern of medium-sized fields enclosed by prominent hedgerows;
and

A strong settlement pattern of compact, nucleated villages of varying sizes with little dispersal in wider countryside.



- 3.4.4 The site is further defined as Landscape Character Area C. Bodicote, which is described as:

The area is characterised by large-sized fields dominated by arable farming, with some smaller grass fields used for pony grazing. They are enclosed by low hawthorn hedges which are generally in good condition. Hedges bordering roadsides and old lanes are taller, well-maintained and more species-rich. There are a few young ash field maple and oak trees in the hedges, and some small tree clumps close to farms.

- 3.4.5 The landscape strategy for the Upstanding Village Farmlands Landscape Character Type is to:

Conserve and enhance the strong pattern of hedgerows and hedgerow trees, and the nucleated settlement pattern and strong vernacular character of the villages.

Specific guidelines include:

Strengthen and enhance 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 when necessary, to maintain a height and width appropriate to the landscape type, particularly along roadsides; and

Maintain the nucleated pattern of settlements and promote the use of building materials, characteristically the ironstones and slate tiles of the Northamptonshire Uplands, and a scale of development that is appropriate to this landscape type.

- 3.4.6 Neither the site nor its immediate setting demonstrates the full range of key characteristics of the type. The field is relatively large, but it is not arable, although is used for horse grazing, which in landscape character terms is essentially the same as pony grazing. The hedges are not low, although the hedge and trees bordering the road are tall. In the countryside further to the east and south are large-sized arable fields, from which the site is separated by substantial vegetation and its different land use. To the north is the more intense field pattern of the Sor Valley, within the River Meadowlands type, where the land falls relatively steeply to the valley floor, but that is not part of the character of the site.

- 3.4.7 The landscape strategy for the type does not set out that the landscape cannot accommodate change, but requires the use of sensitive materials, and a positive response to character as well as correct maintenance of hedgerows.

- 3.4.8 The site is approximately 4 hectares in area and is accessed off Berry Hill Road. It comprises a large field subdivided into paddocks by electric fencing, stables, an outdoor arena and access track. It is bounded to the:



- north by a footpath within the site and a hedgerow along the boundary containing mature trees;
- east by a hedgerow containing mature trees, beyond which is a lane with public footpath 101/13;
- south by a hedgerow with mature trees and a verge, but no footpath, fronting Berry Hill Road; and
- west by residential properties and their gardens along Berry Hill Road, and small grass fields.

3.4.9 A tree survey was undertaken by AWA Tree Consultants (October 2017) which was subsequently updated in July 2020. It identified 43 individual trees and 13 groups of trees or hedges. All are along or beyond the site boundary; none are within the paddocks.

3.4.10 The most significant trees are the four mature Oaks (T40 to T43), along the northern boundary, assessed as large historical trees of high arboricultural importance. Other significant individual trees include a large Sycamore (T46), beyond the western boundary and a mature Oak near the south-eastern boundary (T22). The trees and shrubs along the southern boundary are generally of lower value but, according to paragraph 3.2.6

when assessed collectively they have a higher landscape value and provide good screening of the site from the adjacent main road.

3.4.11 In terms of their function in the landscape, the hedgerows and trees along the northern, eastern and southern boundaries provide strong separation from the adjacent fields, as can be seen in Viewpoints 1A, 2A, and 3A. There are no substantive visual links from the interior of the site with the surrounding landscape, except for views from the most elevated, southern part of the site looking over the northern hedge and between its trees. From there, the wooded slopes and skyline conceal the village with the spire and upper part of the church tower visible (Viewpoint 10). That is in contrast to the claim made by the landscape officer in the Officer's Report that the site:

...is out on a limb visually and intrudes into open countryside.

3.4.12 My Viewpoint 18LS, prepared for this Statement, in **Appendix J**, clearly shows the separation provided by the hedgerows either side of footpath 101/13 and the different character of the larger, more open arable landscape to the east. Indeed, with the adjacent development extending along the higher ground of Berry Hill Road and into West Adderbury, west of the site, and the weak western boundary of the site, as can be seen from my new Viewpoint 17LS, also in **Appendix J**, it is clear that the site is an ordinary field with no particular defining characteristics, with an edge of settlement character, and with no meaningful visual or landscape links with the wider landscape.

3.4.13 As can be seen from my Viewpoint 17LS in **Appendix J**, when on the site, the residential edge of West Adderbury is clearly visible both along Berry Hill Road, where rear and



side elevations as well as gardens are arranged along the skyline, with various boundary treatments, some of which are very open: Last House is an example. The visibility of properties continues from those on Berry Hill Road along to the edge of West Adderbury and as far as The Leys and Tanners Lane. Behind the viewer, in contrast, can be seen the hedge on the eastern boundary, as can be seen on Viewpoint 10 in **Appendix E** which separates the site from the countryside to the east.

- 3.4.14 The site is occupied by horse grazing, stables and yards. Although a land use that can be found in the wider landscape, when equestrian uses are combined with the residential features, in this case to the west and north-west, and separated from the larger-scale landscape to the east, land parcels can take on a settlement edge character. That has happened in the case of the site.
- 3.4.15 Topography is shown on **Figure L1: Topography in Appendix E**. The Sor Brook runs broadly north-west to south-east through Adderbury, joining the River Cherwell to the east. The site forms part of the southern side of the Sor Brook Valley, on land at an elevation varying between 95 and 110m AOD, sloping gently downwards to the north. The northern part of the site forms a distinctive valley feature, which descends towards the brook to the north, beyond the site. This further reinforces the separation from the wider, larger scale landscape to the east and the smaller scale landscape related to the valley floor and the edge of West Adderbury, influenced by residential development, for instance at The Leys.
- 3.4.16 The site consists of a large open field comprising paddocks defined by fencing, including timber post and rail and electric tape with wooden posts. There are associated stables, manège and yards on the eastern boundary, accessed by a track from Berry Hill Road. There is development along both sides of Berry Hill Road to the west, giving the site a developed context, as can be seen in Viewpoint 17LS (**Appendix J**) and Viewpoint 6a (**Appendix E**). The location of the core of the village is identifiable from the site, looking north-east, although only the spire and upper part of the tower of the church of St Mary the Virgin are visible. There is clear separation from the historic core of the village in the area around the church, and a much closer relationship to West Adderbury, and in particular Berry Hill Road and St Mary's Road.
- 3.4.17 The site has a generally enclosed character because of substantial hedgerows and tree belts along all boundaries except the western boundary. Even to the west, the pattern of field boundaries in the context of the site and existing development in West Adderbury limits its visibility and relationship to the wider landscape, as acknowledged in the Officer's Report, including in the comment by the specialist Landscape Officer, who wrote at paragraph 7.4 that the:

development has limited visibility in the wider landscape...

- 3.4.18 There is also the comment at paragraph 9.39 that:

it is agreed that the wider landscape impacts would be limited...



- 3.4.19 There are no trees within the site, although the dense belt of trees along the southern boundary and substantial double hedge on the eastern boundary gives the boundaries a wooded appearance.
- 3.4.20 The site is something of a transition between the River Meadowlands to the north and the Upstanding Village Farmlands in which it is sited. It has very little relationship with the wider landscape of the Village Farmlands, either in terms of character or intervisibility, and is more closely related in character to the valley side and the settlement of West Adderbury. It is an unremarkable area of paddocks and stables, with associated fencing, at the edge of the settlement with separation from the wider landscape to the east and south.
- 3.4.21 In the Appeal Decision of 27 March 2007 (appeal reference APP/C3105/A/06/2032232), the Inspector considered the character of the site and its role in relation to the village, and the Council has cited it in the Officer's Report. The Inspector states in paragraph 8 that the appeal site:
- represents a particularly pleasant part of the open countryside. Moreover, the appeal site allows an attractive view of the village church. To my mind the appeal site represents an important green open area on the edge of the settlement that makes a significant contribution to the character and appearance of this part of Adderbury*
- 3.4.22 However, I believe that there has been a fundamental change in the character of this landscape since the Inspector's visit in March 2007. The roadside vegetation along the site's southern boundary on Berry Hill Road has grown considerably since 2007, as is evident from aerial photographs, such that a substantial belt of vegetation has established compared with, for instance, an aerial photograph of 2009, two years after the Inspector viewed the site. It is clear that in 2009 the hedge was less substantial and the trees more widely spaced. As a result, it is likely that the Inspector was able to experience more open views from the road. Additionally, in 2007, the site was part of an Area of High Landscape Value, which would have increased its value in any assessment. That designation no longer applies. The Inspector was also considering a very different scheme, without the large area of open space and with an orientation completely at odds with Berry Hill Road.
- 3.4.23 There has been no suggestion that the site can be defined as a Valued Landscape, either in any plans or correspondence from the Council or the in The Neighbourhood Plan. However, I have undertaken a simple analysis, which appears in **Appendix F** of this Statement, and which concludes that the site and its context have none of the factors that make it a Valued Landscape. It is based on box 5.1 from GLVIA 3, and proves that the site and its setting have none of the eight factors that contribute to it being regarded as a Valued Landscape. It is a commonplace, edge of settlement landscape.



3.5 SETTLEMENT PATTERN

- 3.5.1 The former railway embankment along the floor of the Sor Brook Valley separates the historic core of the village around the church to the north from the site and its setting in Berry Hill Road.
- 3.5.2 An additional plan has been produced, **Figure LS3** in **Appendix K**, to illustrate the relationship between landform and development pattern. When compared with the 1797 map which is Figure 8 of the Conservation Area Appraisal, it shows that the settlement developed on spurs in the landform either side of the Sor Brook where Water Lane/New Road cross the Brook. Subsequent expansion has extended Adderbury north along Oxford Road whilst West Adderbury has extended south along Milton Road and Berry Hill Road, along and adjacent to the roads which tend to follow the higher ground near to the settlement. This has included the development of houses either side of Berry Hill Road, leading up to the site, as well as expansion into the adjoining fields by St Mary's Road and the more recent extensions to the west along Milton Road.
- 3.5.3 Although one of the key characteristics of Character Type 16 is a strong pattern of nucleated villages, the Conservation Area Appraisal on page 19 identifies a strong linear structure defined by strong building lines, a description focussed on the Conservation Area. This historic pattern has been diluted by more recent development both within the Conservation Area and outside. For example, there is extensive C20th development to the north of the Conservation Area at Twyford and south of Berry Hill Road at St Mary's Road as well as current development to the west on Milton Road.
- 3.5.4 The Conservation Area Appraisal identifies the historic development pattern as being 'linear' on page 19, under Land Use and Street Pattern:
- Historic maps of the village show the development of the historic core running along the east-west axis. The development pattern has a strong linear structure, defined by strong building lines, particularly between the High Street and Cross Hill Road.*
- The series of linear streets are linked by winding lanes, allowing for the continuous deflection of views; this and the undulating typography create pleasant and interesting streetscapes.*
- 3.5.5 However, that is not the case for more recent development.
- 3.5.6 In the Design and Access Statement of June 2020, the figures on page 19 show how the village of Adderbury has developed from 1923 to 2020. As is common in the C20th, there has been infilling of orchards and small fields within the settlement, and as shown on the maps from 1955 onwards, development to the north along Oxford Road and to the south-west along Berry Hill Road. That is consolidated on the 1980 map by development in depth at St Mary's Road, beyond the south-western side of Berry Hill Road, further extended westwards by the developments shown in 2020 along Milton Road.



3.5.7 Additionally, Kathryn Sather, who undertook the Heritage Statement of August 2019 in support of the project, has undertaken a commentary on the importance of the site and its context in the historic settlement pattern of Adderbury, which is included at **Appendix L**. She considers the way the settlement developed along landform, bisected by the Sor Brook, and routes between towns and cities, and how there was no development south of the junction of Horn Hill Road and Milton Road, which is north-west of the site, until after 1922.

3.5.8 She concludes:

The nature and timing of the development of Berry Hill Road in the vicinity of the proposal site shows that it does not form part of the historic linear development of the settlement and does not contribute to the understanding of the linear development of Adderbury.

3.5.9 The existing development along Berry Hill Road is not part of the historic development pattern of Adderbury. It is typical of expansion along approach roads to this and other settlements, which has occurred as the core of the settlement extends to address demands for new housing. It is further expanded on the fields behind Berry Hill Road, of which the developments along Milton Road are more recent examples. The Neighbourhood Plan identifies both Berry Hill Road and St Mary's Road as the same character area. It does not identify a linear form of development as being a key characteristic of the character area, and indeed that can be seen from the aerial photograph on the viewpoint location plan in **Appendix K**.



3.5.10 The Conservation Area Appraisal of April 2012, prepared by the Council, considers, inter alia, views and character areas and does not identify any relationship between the site and the Conservation Area.

3.5.11 Within the Neighbourhood Plan, policy AD16: Managing Design in Berry Hill Road and St Mary's Road, addresses the character of the area adjacent to the site:

Development proposals in the Berry Hill Road and St. Mary's Road Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

i. Proposals retain or re-provide as necessary front gardens where possible and roadside verges; and

ii. Proposals retain or re-provide as necessary boundary hedges (as in St. Mary's Road) and low walls (as in Norris Close) where appropriate.

3.5.12 Referring to the character area, paragraph 5.52 sets out the following reasoning:

As it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

3.5.13 At 5.53, the Character is described as follows:

The area lies to the south west of the Conservation Area and includes the main approaches to the village from the southeast and southwest. There are two particular areas within this larger area, which are worthy of consideration. The Berry Hill Road and St. Mary's Road/Norris Close [sic]. Both areas comprise 20th century housing. Berry Hill Road is characterised by substantial properties set well back from the road with extensive grass verges in front and large front gardens. St. Mary's Road and Norris Close have mixed development of detached/semi-detached two storey houses and bungalows. They are characterised by large front gardens enclosed for the most part with low walls, and grass verges along the roadside.

3.5.14 However, in my view, Berry Hill Road and St Mary's Road are both characterised by a mix of property sizes. Despite the Neighbourhood Plan saying that Berry Hill Road is characterised by substantial properties, on the north-eastern side, there are mostly relatively modest properties including houses and bungalows, and especially adjacent to the site on the former gas works (which is shown in the Design and Access Statement on page 19). Many of those are close together and many of the front gardens are shallow. Those properties can be seen in my Viewpoint 19LS in **Appendix J** as well as their relatively open boundaries when compared with those of the site.



Additionally, the Design and Access Statement, on page 49, assesses the road as having a weakly defined urban character.

- 3.5.15 What is clear is that although there are no particular features critical to the settlement pattern, the overall mix of house types and boundary treatments can sit in successful juxtaposition, set within a robust urban landscape of tree and hedge -lined Berry Hill Road and wide verges.

3.6 VISUAL ANALYSIS

- 3.6.1 As part of the LVA, representative views towards the site were assessed from publicly available viewpoints, which were updated, and additional photographs taken in January 2018 for the Addendum. They comprise the viewpoint photographs included in **Appendix E** of this Statement, with the locations shown on **Figure LS2: Photograph Location Plan** in **Appendix K**.
- 3.6.2 The site has limited visibility from the wider landscape due to the mature hedgerows at the boundaries of the site, the sloping topography of the site and surrounding area and intervening overlapping layers of trees and hedgerows. As a result, the furthest view of the site was 310m away from Viewpoint 14 on the Oxford Road, so all would be regarded as local views, up to 500m, according to the methodology. Indeed, the distances from viewpoints from which there was a view are 0m, 10m, 20m, 40m, 85m, 120m, 125m and 310m as set out in the Visual Effects Table in **Appendix C**.
- 3.6.3 Publicly available views of the site typically comprise a few local transitory views from Berry Hill Road to the south, which has no footpaths along it in the vicinity of the site, and Oxford Road to the east, short lengths of the public footpath to the east and the path to the north, mostly where it crosses the site just within the northern boundary.
- 3.6.4 The views shown in the Addendum to the LVA are described in the **Visual Effects Table** in **Appendix C** and are summarised below. They were all taken in winter when the screening effect of vegetation was at its minimum.
- 3.6.5 **Viewpoint 1A:** a glimpsed view from Berry Hill Road, opposite the existing site entrance. There is no pavement along the road at this location and consequently receptors are limited to moderate number of motorist and few pedestrians. There is a possibility that the few pedestrians are using the verge to access the bridleway on the other side of Oxford Road, and therefore the wider countryside. Should that be the case, their focus will not be on the view from the roadside verge but moving safely along the verge before crossing the busy Oxford Road. Should those pedestrians choose to look across Berry Hill Road and through the metal farm gate, there will be a view of part of the paddocks within the site and the stable yard. The spire of the church is barely discernible through the trees.
- 3.6.6 **Viewpoint 2A:** an open view from the entrance to the site. Viewers are limited to those accessing the private land or stopping at the gateway. The paddocks are seen, with stables and a manège in the middle distance. The tower and spire of the Church of St



Mary the Virgin in the historic centre of Adderbury stands out against the sky, on the wooded ridge.

- 3.6.7 **Viewpoint 3A:** Filtered view from Berry Hill Road, opposite the south-east corner of the site. There is no pavement along the road; receptors are limited to a moderate number of motorist and few pedestrians. There are substantial hedgerows along the southern and eastern boundaries.
- 3.6.8 **Viewpoint 4A and 8** are both framed and glimpsed view from the public footpath along the eastern site boundary, across the southern part of the site and across the paddocks sub-divided by post and rail fencing, with the substantial hedgerow and mature trees seen along Berry Hill Road. There are glimpsed views of properties along Berry Hill Road and within Adderbury. From Viewpoint 8, users tend to focus on views north along the path which include the church spire.
- 3.6.9 **Viewpoint 5A:** Open view from the public footpath within the northern edge of the site, with views south across the paddocks with the site rising to a local crest in the centre, limiting views of the southern section. The shallow valley feature becomes more pronounced towards the north of the site. Looking west there are glimpsed views of properties along Berry Hill Road.
- 3.6.10 **Viewpoint 6A:** A filtered and oblique view from Berry Hill Road to the south-western corner of the site. Receptors are limited to a moderate number of motorists and few pedestrians to whom the view is not the purpose of using the verge. There are existing properties along Berry Hill Road; the site occupies land to their east.
- 3.6.11 **Viewpoint 7:** An open view across fields from a public footpath, with intermittent trees on the skyline. Trees and a transmission pole in the north-western part of the site can be seen, but the boundary hedges and the site itself are hidden by the rising landform. To the right, a close-boarded fence prevents views from the footpath as it runs between dwellings and gardens. The spire of the church of St Mary the Virgin can be seen to the left.
- 3.6.12 **Viewpoint 9:** A filtered view from Berry Hill Road towards the south-western corner of the site; the surface of the site can be seen through the network of stems and branches. Receptors are limited to a moderate number of motorists and few pedestrians. It is unlikely that many receptors would experience this view as its direction is at right angles to the road and most would look obliquely and, in the case of vehicle occupants, they would have only a fleeting view at speed. Looking north-west, existing properties along Berry Hill Road are seen. The substantial hedgerow along the southern boundary heavily filters views of the church spire in the winter, which would be more heavily filtered in the summer.
- 3.6.13 **Viewpoint 10:** Open view across northern part of site with the village on the ridge beyond the wooded former railway line. This is not publicly accessible; viewers are limited to the few people using the site for equestrian purposes. Part of the tower and the whole of the spire of the Church of St Mary the Virgin is a striking and prominent



landmark above the wooded horizon, providing the focus of the view. The village and the nave of the church are entirely screened by the wooded valley floor and embankment.

- 3.6.14 **Viewpoint 11:** An open view from the end of a bridleway, across the carriageway of Oxford Road, dominated by carriageways, signage, and traffic. There are likely to be many road users and a moderate number of bridleway users, all of whom are focussed on negotiating Oxford Road and its junction with Berry Hill Road, rather than on the view. The south-east corner of site can be identified where footpath 101/13 emerges onto Berry Hill Road, and by the adjacent large tree. The site not discernible owing to roadside vegetation, hedgerows and mature trees either side of the footpath.
- 3.6.15 **Viewpoints 12, 13, 15 and 16:** There is no view of the site from these locations and therefore they were not considered further.
- 3.6.16 **Viewpoint 14:** A framed view from the roadside footpath along Oxford Road, experienced by many road users and few pedestrians, whose attention is unlikely to be focussed on the view but on the road ahead, although incidental views of fields and woods form part of the experience of travelling along the road. Roadside vegetation limits visibility, as well as hedgerows along footpath 101/13. The surface of the site and lower part of the hedgerows are hidden by the rolling landform.
- 3.6.17 It is clear that views of the site are limited to local views (the furthest being Viewpoint 14 at 310m from the nearest site boundary) and they are:
- Glimpsed from Berry Hill Road, where there are minor gaps in the vegetation and at the site entrance;
 - Glimpsed from the public footpath (101/13) adjacent to the east of the site, where there are a few gaps in the vegetation; and
 - From the public footpath (101/6) along the northern edge of the site.
- 3.6.18 There are no medium and long-distance views of the site (beyond 0.5km). As result, visual effects will be highly localised, as confirmed in the Officer's Report. I note that the LPA did not take issue with the viewpoint selection in the Addendum of February 2018, either in email correspondence or in the Officer's Report.
- 3.6.19 None of the views in which the site is visible would be regarded as having highly sensitive receptors, in visual assessment terms. Six of those viewpoints are from two roads local to the site, which are regarded as of low susceptibility to change, where the receptor has little interest in their visual environment and therefore has low sensitivity. One viewpoint is from the site, which currently has no public access but will if the proposals are consented. Six are from two local public rights of way, with brief views glimpsed through hedges and with receptors of medium sensitivity.
- 3.6.20 The medium sensitivity is arrived at because of the settlement edge context of the paths, influenced by development, the local nature of the footpaths and the lower



expectations of the receptor when compared with, say, a user of a national trail or a path through a National Park.



4 OPPORTUNITIES AND CONSTRAINTS

4.1 ADDRESSING OPPORTUNITIES AND CONSTRAINTS

4.1.1 Landscape and visual opportunities and constraints were illustrated on **Figure L5: Landscape and Visual Opportunities and Constraints** from the LVA.

4.1.2 Certain landscape and visual characteristics of the site lead to it being able to accommodate residential development. These characteristics include:

- A relatively strong framework of existing boundaries comprising mature trees and hedgerows;
- Potential for enhancement and further strengthening of those boundaries;
- The location of the site adjacent to existing residential development to the west; and
- The relatively flat topography of the wider area surrounding the site, limiting medium and long distance views.

4.1.3 The LVA set out potential landscape and visual constraints to development within the site, which are repeated below, along with how such constraints can be overcome.

Constraint	How addressed
Existing trees and hedgerows within and adjacent to the site.	<i>Development minimises effects on existing trees and hedgerows, avoiding those of highest value; development kept away from existing trees and hedgerows; new planting undertaken as mitigation; management plan to be conditioned.</i>
The Public Rights of Way to the north and east of the site.	<i>Development limited to southern part of site, retaining largely unchanged setting for northern footpath; hedgerows retained between development and eastern path.</i>
The existing residential properties along Berry Hill Road.	<i>Separated by retention of existing trees and hedges.</i>
The settlement pattern of Adderbury.	<i>Responds to existing building pattern as set out in the DAS.</i>
Adderbury Conservation Area.	<i>Separated by distance and existing vegetated boundaries.</i>
Local views, including those from Berry Hill Road.	<i>Retention of much of roadside vegetation and all of vegetation on other boundaries reduces visual effects and integrates scheme into views.</i>



4.2 LANDSCAPE STRATEGY

4.2.1 Taking into account the above landscape and visual opportunities and constraints, the LVA identified the potential for the site to accommodate residential development without causing undue harm to the setting of the site, or views into the site, subject to incorporating a sensitive design approach and landscape strategy.

4.2.2 A revised landscape strategy has been developed for the site, illustrated on **Landscape Strategy from Design and Access Statement in Appendix G**, based on the following principles which I developed in liaison with the client and the design team:

- Maintaining a green approach to Adderbury along Berry Hill Road, with no clear gateway or sudden development edge;
- Keeping development back from the northern part of the site to retain the integrity of the shallow valley feature and increase separation from the valley of the Sor Brook;
- Enhancing the limited existing views of St Mary's church from Berry Hill Road and providing new, open and accessible views of the church from the open space on the site;
- Leaving approximately 50% of the site as open space which provides a substantial opportunity for landscape and ecological enhancement across the currently rather barren site and reinforces and expands the Neighbourhood Plan's identification of the footpath across the northern part of the site as part of the existing green infrastructure of the village (**Appendix M**);
- Producing an irregular edge to development along the northern edge, more in accordance with traditional settlement edge patterns; using materials and colours that are recessive in the landscape;
- Retaining and enhancing the site boundaries, through much-needed long term management and new planting; and
- Undertaking a comprehensive landscape scheme and management plan for the entire site to ensure the future of its landscape, including the existing trees and shrubs, any new planting and to encourage bio-diversity by grassland management.

4.2.3 The Landscape Strategy has developed the principles further into the following specific features:

- Retaining almost all of the southern boundary along Berry Hill Road, and planting trees and hedges to replace the two or three removed for access;
- Planting a new native hedge with associated trees along the western boundary to provide a new vegetated boundary, restoring elements of the landscape and reinforcing the wildlife corridors around the site;
- The site becoming part of the village's green infrastructure not only along the northern boundary and its large open space, but by extending it through the site with new pedestrian routes north of the trees along Berry Hill Road (providing an alternative route to much of the adjacent length of Berry Hill Road), along the quiet residential roads on the site, through the open space and new woodland along



the eastern boundary, all linking with the green infrastructure network identified by the Neighbourhood Plan beyond the site (**Appendix M**);

- Developing a species rich grass sward across most of the open space on the site, and within the drainage and attenuation features, minimising the amount of amenity grass;
- Mowing informal paths through the sward that link with the adjacent footpaths;
- Keeping the south-east corner undeveloped and establishing a new copse to assist with transition to open countryside as well as increase landscape and ecological diversity on the site as it currently contains no woodland;
- Planting a new orchard of traditional species along the western boundary, within its own hedged enclosure, increasing the length of hedge corridor on the site, and with species rich grassland beneath the trees;
- Planting of legacy trees across the site and in the hedgerows, providing native tree planting to develop into mature oaks and other trees for the long term;

4.2.4 The strategy has the potential to provide approximately :

- 535 linear metres of new hedges;
- 19,000 m² of species rich grassland;
- 24 legacy trees;
- 1600 m² of woodland; and
- 2900 m² of traditional orchard.

4.2.5 As a result, I understand through the project's ecologists, e3p, that there will be nearly 99% net gain in habitat units, including species rich grassland and trees, and 24% in hedgerows as a result of the landscape strategy.

4.2.6 The strategy for the site therefore delivers considerable enhancement when compared the existing situation in terms of:

- views of the church;
- safe and more enjoyable public access to paths across the site and beyond;
- usable public open space; and
- biodiversity.

4.2.7 The strategy also has to be considered in the context of the aspirations of the Parish Council's Biodiversity Project, posted on the Parish Council's Website on January 2 this year and which, according to the article, complies with the Neighbourhood Plan's biodiversity policies:

1: Some areas of grass verge will not be cut back, or only cut on the edges. This includes Lake Walk Green and the verge outside Tanners in Tanners Lane.

2: It has been agreed with Cherwell District Council that the two amenity areas on Aynho Rd (Long Wall Close and Sydenham Close) will be managed to include wild flower areas. Long Wall Close grass will not be cut during the summer months to allow wild flowers to emerge and seed. The southern open space in Sydenham amenity area will be cleared of



sycamore stumps during the winter and re-sown with meadow planting. It will be then be managed as a wild flower meadow.

3: A number of small fruiting trees have been ordered under the Woodland Trust's Urban tree project. The PC is working with Christopher Rawlins School staff and children to plan where these will be planted in the area used by the school next to Adderbury Court amenity area. The Adderbury WI is also involved in this tree planting project. The Council is also discussing planting some of these trees at the Rise.

- 4.2.8 The description of the Parish Council's project is very much in line with the landscape strategy for the site, and the proposal on the appeal site will deliver many enhancements in an area that will become accessible to all of the Adderbury community. trees



5 THE PROPOSALS AND THE LANDSCAPE

5.1 REASONS FOR REFUSAL

5.1.1 For convenience, I will repeat the relevant Reasons for Refusal from my introduction:

1. The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury, with no further development identified through the Adderbury Neighbourhood Plan 2014-2031, is considered to be unnecessary, undesirable and unsustainable development. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, BSC1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

2. The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Adderbury Neighbourhood Plan 2014 - 2031) causing significant urbanisation and its visual impact on the rural character, appearance of the locality and local settlement pattern, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011- 2031) Part 1, Saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Adderbury Neighbourhood Plan - 2014 - 2031 and Government guidance contained within the National Planning Policy Framework.

5.2 SETTLEMENT CHARACTER

5.2.1 Under Assessment, the Officer's Report states at 9.42 that:

The proposed development would involve a large-scale development on the land. The indicative layout demonstrates dwellings fronting towards Berry Hill Road (albeit set behind the existing hedgerow) with the remaining proposed dwellings arranged extending northwards on the site. The proposal is in a reduced form to that previously considered and refused but it remains a block of development resulting in a large cul de sac which is distinctly different to the prevailing pattern of development along Berry Hill Road.

5.2.2 The pattern of development is more complex than implied in the Officer's Report and the character of the area needs to be assessed by reference to more than just a few



houses near the site. It is important to respond to the positive aspects of development in an area, and this has been set out in the Design and Access Statement from page 50 to page 71, where four character areas on the development take cues from the way the village has developed.

- 5.2.3 It is worth noting that the Inspector into the appeal for land off Banbury Road (appeal reference APP/C3105/A/14/2213263) in 2014 described in paragraph 28 that:

Adderbury is a substantial settlement and whilst the original core is characterised by mainly mature terraced housing of varying design and scale set at the back of or close to the pavement, the settlement has been extended very substantially to the west along New Water Lane, Cross Hill Road and Horn Hill Road and to a lesser extent to the east to the north and south of Aynho Road. These more recent and extensive areas reflect the designs, styles and types of dwellings of their periods. Thus, it would be difficult to pin down the defining character of Adderbury as a whole and conclude that this scheme failed to reflect and enhance local character.

- 5.2.4 What is clear is that the proposals respond to positive aspects of Berry Hill Road/St Mary's Road, as well as the wider settlement, such as the substantial roadside vegetation and houses set back from the road. However, the pattern of development along Berry Hill Road does not relate to the historic development pattern of Adderbury, either in terms of character or proximity, as described by Kathryn Sather.
- 5.2.5 The Council refers to the proposal as being a bolt-on estate (paragraph 9.43). Although it is alleged that there is linear development fronting Berry Hill Road, that belies the fact that behind it there is a deep and relatively dense pattern of residential development consisting of St Mary's Road and Norris Close, which has been extended recently into open countryside to the west by new development. This depth of development is not unusual, and indeed the site proposals will have development arranged along Berry Hill Road, behind the existing hedge and trees similar to the existing development. It is not apparent that there is residential development behind the houses on the western side of Berry Hill Road as they are arranged largely in a line with relatively small gaps between. It appears as continuous development, not wide plots with houses well-spaced, especially on the north-eastern side of Berry Hill Road where there are single storey houses with few trees and relatively low hedges, as shown in my Viewpoint 19LS in **Appendix J**.
- 5.2.6 What is clear is that the character of West Adderbury has changed as it has developed along Adderbury Road and Milton Road, away from the conservation area and has an entirely C20th/C21st character with no reference to the earlier development of the village.
- 5.2.7 It is clear therefore that the proposals are an appropriate response to Adderbury.
- 5.2.8 The Council does not explain why the scale is inappropriate, but it is commensurate with the scale of development within the area, with a mixture of detached and semi-detached houses. That is the mix proposed for the site, including link detached.



- 5.2.9 With regards to the siting, it is adjacent to existing development and, through its design, is a continuation of the development line that fronts Berry Hill Road, and a reflection of the depth of development on St Mary's Road behind that frontage. The siting is in a partly developed context, as is the recent development north of Milton Road, although that extends westwards into what was open countryside.
- 5.2.10 Paragraph 9.42 of the Officer's Report sets out:
- The proposed development would involve a large-scale development on the land. The indicative layout demonstrates dwellings fronting towards Berry Hill Road (albeit set behind the existing hedgerow) with the remaining proposed dwellings arranged extending northwards on the site. The proposal is in a reduced form to that previously considered and refused but it remains a block of development resulting in a large cul de sac which is distinctly different to the prevailing pattern of development along Berry Hill Road.*
- 5.2.11 The Design and Access Statement sets out in some detail how the development proposals are based on the positive aspects of the character of Adderbury rather than only responding to Berry Hill Road, between pages 50 and 71. As already discussed, St Mary's Road is a far more substantial development than the proposal on the appeal site, without the benefit of over 50% of the site being open space. However, St Mary's Close shows that development can occur at depth without adversely impacting on the character along the road, from where most people would see it.
- 5.2.12 The Neighbourhood Plan, quite rightly, identifies the properties set well back from the road with extensive verges in front, as some of the most important design features of the area. Combined with the generally vegetated boundaries along Berry Hill Lane, the appearance along Berry Hill Road is of a well vegetated road, part of which is the hedge and trees along then frontage of the site.
- 5.2.13 In terms of its interface with Berry Hill Road, the proposals follow those principles. They are set a similar distance from the road, although behind a more substantial and consistent belt of vegetation than the properties on Berry Hill Road, which increases the separation of the site from the road when compared with its neighbours. Existing houses are mostly set behind a substantial belt of vegetation, although more domestic in species selection and punctuated by much more frequent vehicular access than with the proposals.
- 5.2.14 The management of the vegetation is in the hands of individual property owners and subject to personal decisions on management as is demonstrated by the lack of boundary hedges in some cases resulting in more open front gardens. The important vegetation within the outline scheme, both existing and proposed, will not be in private gardens but will be on communal land, subject to a management plan agreed with the Council. As a result, the Council will be able to influence the way the vegetation is managed.
- 5.2.15 The buildings fronting the road on the site would be set behind the row of trees along the existing hedgerow rather than in large front gardens, but they would be integrated



into the development pattern by that vegetation continuing the largely vegetated character of Berry Hill Road and by the arrangement of frontages with the more substantial houses facing the road.

5.2.16 Along Berry Hill Road, part of the existing character is that the properties on the north-eastern side are more visible owing to their less well vegetated front boundaries and gardens (see Viewpoint 19LS in **Appendix J**). In contrast, the proposals will be behind the existing vegetation and for most users of the road, will not be readily visible. The vegetation focuses views in both direction to either the countryside to the east or development to the west which is set back behind verges. As can be seen from Viewpoints 3A and 11 in **Appendix E**, development is currently not visible along Berry Hill Road as one approaches West Adderbury. That will not change, although as one passes the development there will be a very slight increase in the width of the existing opening at the vehicular access which will allow fleeting views into the development and to the church, allowing legibility of the historic core of the settlement for users of the road. Road users will be aware of development, especially in winter, but it will appear to be a logical part of the existing development pattern along the road.

5.2.17 It is important to acknowledge that the development would enhance the village's green infrastructure, set out in the Neighbourhood Plan. Policy AD2: Green infrastructure is as follows:

The Neighbourhood Plan defines the Adderbury Green Infrastructure Network around and within the village, as shown on the Policies Map.

The Network comprises a variety of green infrastructure assets, including informal open space and Local Green Spaces, allotments, playing fields, assets of biodiversity value and children's play areas, footpaths, bridleways and cycleways.

Development proposals on land that lies within or immediately adjoining the defined Network must demonstrate how they maintain or enhance its integrity and green infrastructure value, by way of their landscape schemes, layouts, access and or through equivalent alternative provision nearby.

5.2.18 Existing Green Infrastructure, as well as opportunities, are shown on policies inset map A of the Neighbourhood Plan (**Appendix M**). It shows the public footpaths to the east and north as being part of the existing green infrastructure, and Berry Hill Road as an opportunity. Management of the vegetated boundaries would enhance the existing assets, and the provision of open space in the northern part of the site would extend the green infrastructure.

5.2.19 The development allows more open views of the church from Berry Hill Road, which have been designed into the scheme with specifically aligned road and footpath routes. They are an integral part of the scheme, rather than incidental and accidental glances through winter trees and down the current access track. This represents a much-improved situation than is currently the case.



5.2.20 At 7.5 the Landscape Officer writes:

Not convinced that the slight possibility of the church spire being possible more visible in the latest proposal is sufficient to reduce the effect of the development.

5.2.21 I am at a loss to understand how it can be considered that enhancement of the existing views and providing unrestricted access to better, much more open views on the proposed open space are not improvements when compared with the current situation.

5.2.22 There is no slight possibility of those improvements – they are clearly shown on pages 39, 46, and 47 in the Design and Access Statement and the views from the site to the church can be easily understood from my Viewpoint 10, which was part of the package of information being considered by the Council.

5.3 LANDSCAPE AND VISUAL EFFECTS

5.3.1 The Landscape Effects Tables from the Addendum showed that there would be no direct landscape effects upon the limited number of designations, all of which are off-site, and, as they have limited intervisibility with the site, nor would there be any indirect landscape effects upon them.

5.4 LANDSCAPE CHARACTER

5.4.1 Published Landscape Character: For Character Type 16: Upstanding Village Farmlands, the proposals would not have discernible effects on the key characteristics of steep-sided, undulating landform, well-defined geometric pattern of medium-sized fields enclosed by prominent hedgerows or the strong settlement pattern, given that Adderbury consist of a series of development blocks with intervening open areas and linked by narrow bands of housing. It would accord with the guidelines to strengthen and enhance the field pattern by planting-up gappy hedges using locally characteristic species and hedgerow trees, undertaking the maintenance of hedgerows, including coppicing and layering when necessary, to maintain a height and width appropriate to the landscape type, and maintaining the nucleated pattern of settlements.

5.4.2 The development, and in particular the landscape strategy, retains the hedges and trees which are characteristic of Landscape Character Area C: Bodicote, as well as reinforcing the area's character by planting and maintaining hedges which would be species-rich as well as protecting and planting hedgerow trees and establishing a copse of trees.

5.4.3 With regards to the Cherwell District Landscape Assessment, the development would have no adverse effects on the Sor Brook, the network of small fields or lines of trees resulting from outgrown hedges and small clumps of trees in field corners which give parts of the valley a locally well-treed character.



- 5.4.4 The surrounding vegetation on three sides as well as the woodland and hedgerows, including that along the elevated former railway, provide substantial separation of the site from the wider countryside and the historic core of Adderbury around St Mary's church. Avoiding development on the northern part of the site reduces the potential intervisibility further, especially from the north-west.
- 5.4.5 The Landscape Effects Table shows that all effects on landscape receptors were assessed as Not Significant, except for the effects on Local Landscape: Character of Site and Surrounding Area where a Moderate Adverse effect was shown, largely as a result of the change of the character of part of the site from paddocks to residential use, as would be inevitable with any greenfield development. However, those effects are only localised as they affect the site and its immediate context, with no significant effects on the wider landscape.
- 5.4.6 In the Revised Addendum, it was noted that the area of open space in the revised scheme had increased to about 56% of the area of the site, and the area of residential development has reduced to about 44% of the site. However, whilst beneficial to the overall assessment, the magnitude of those changes was not regarded as sufficient to change the significance of the landscape effects from earlier assessments.
- 5.4.7 Those effects arise because:
- An inherent characteristic of the site is that it is well contained (that will also have a bearing on visual effects) and as a result landscape effects are only local, a point with which the Council agrees in the Officer's Report. There will be little harm to the wider landscape;
 - It is an unremarkable field with only currently inaccessible views to the church, underlying landform and existing vegetation on boundaries as features (the last two of which are not unusual in fields), as can be seen from my Valued Landscape Assessment;
 - The relationship with the settlement, as can be seen from my photograph 17, there is a visible development edge to the east that is visible from and partly adjacent to the site (as opposed to the open countryside to the east and south, with very little intervisibility with the site); and
 - The significance of the effects is reduced because of the limited extent, and where they are of moderate significance, those effects occur only on the relatively small area occupied by the site and are entirely to be expected of a greenfield site.
- 5.4.8 Whilst there would be moderate adverse effects at the site/immediate context level, these would be highly localised, consistent with any form of greenfield development, and there would not be significant effects to the wider landscape or landscape character.

5.5 LANDSCAPE FEATURES

- 5.5.1 For public rights of way, there would be no direct effects upon public rights of way, although the development would allow the construction of a new roadside footpath



linking the right of way to the east of the site with the part of Adderbury to the west, providing an easier route than walking along the verge, and potentially making the right of way more accessible.

- 5.5.2 For trees and vegetation, the July 2020 Arboricultural Impact Assessment explains at paragraph 4.2.1 that:

no significant trees will require removal to facilitate the new access arrangement. One Hawthorn shrub (T14) will require removal as it is situated in the footprint of the new access footway and retention and protection throughout the development is not suitable.

- 5.5.3 The tree is of very low retention value, category C. There will also be the need to prune a 2m section of the hedge along the boundary as well as minor crown lifting of a Horse Chestnut (T9).

- 5.5.4 The Impact Assessment also records at 4.2.5 that:

A lack of recent management to the former hedge feature G1 and G15 is leading to its gradual degeneration as a dense woody linear feature. In time, if left unmanaged, the vegetation within the group will follow their natural inclination to grow into lines of separated individual shrubby trees, and so lose its value as a linear group feature. As such, the new development at this site provides the opportunity to undertake management and restoration of the hedge group and so improve the hedgerows quality and long-term value.

- 5.5.5 G1 and G15 are the hedges and trees along the southern boundary.

- 5.5.6 As part of the landscape strategy, new planting would mitigate for limited loss of trees and hedges to access the site, and a management plan would set out a management regime for the hedges across the site, in particular managing the hedgerows around the site boundary to ensure their sustainability. Without the development, no management and replacement strategy would be secured and the landscape condition of the site would deteriorate.

- 5.5.7 In the Officer's Report, the landscape officer records at 7.4 that, while the development has limited visibility in the wider landscape:

The site is surrounded by open countryside apart from one dwelling adjacent at one corner. Last House and the dwelling opposite mark the end of the built up area of Adderbury. As you turn off Oxford Road, it is not clear where the village of Adderbury starts. The site is an important green open space on the edge of the settlement that makes a significant contribution to the character and appearance of Adderbury.

- 5.5.8 In my view, the site is not surrounded by open countryside. It is a rather unremarkable field that is adjacent to existing development, partly developed because of the stable complex and, as acknowledged by the landscape officer, separated from the wider countryside. Apart from the northern part of the site, it is not related to the more intimate and complex valley landscape of small fields and hedgerows, that lead down to the railway embankment and the Sor Brook.



- 5.5.9 The design acknowledges the character of the site by leaving the northern part of the site free of development as it falls away into towards the Sor Brook across the gentle valley feature, and proposing development only on the southern part of the site, nearest the road, where there is already existing adjacent development.

5.6 VISUAL EFFECTS

- 5.6.1 As discussed earlier when considering landscape effects, the visual containment is a fundamental characteristic of the site, which has implications on not only landscape effects but also visual effects. That containment ensures that views of the site are limited to three local footpaths, one of which crosses the northern edge of the site, and local roads, the furthest of which is some 310m from the site boundary, and the nearest on the site boundary. Despite the landscape officer's request to me to explore viewpoints from all round the site and its context, no significantly different viewpoints were found in preparation for the Addendum: most were essentially additional and similar views from the same rights of way or from Berry Hill Road. Many new locations had no views. The Officer's Report alleges significant intrusion into the countryside (paragraph 9.43 inter alia) without any evidence for that statement. My Effects Tables assess the landscape issues robustly and systematically and do not find the alleged significant effects.
- 5.6.2 Even where there are views, those views are remarkably limited in extent. In winter, from Berry Hill Road and footpath 101/13 to the east of the site, they are limited to small and narrow gaps in the boundary vegetation, and in those cases the visual receptors (drivers and walkers) have largely oblique and fleeting views which means that the overlapping effect of vegetation effectively blocks those views. They are fleeting views of a site that is beyond the main focus of interest as the receptor travels, and no driver or walker will be travelling with their head permanently at right angles looking only to the site. The views are directed along the route, funnelled by the vegetation, as can be seen in the left side of Viewpoint 3A, the right side of Viewpoint 8A, , Viewpoint 11 and Viewpoint 14.
- 5.6.3 The exception is Viewpoint 5A, which is from footpath 101/6 along the northern edge of the site where there is a more open view from the length of the footpath where it crosses the site, but that is unique in the context of the site.
- 5.6.4 In all cases, the views from footpaths are in locations closely related to settlement in West Adderbury, rather than the open countryside. With very few exceptions, they are from paths that have views directed down the path or rarely across a field gate, as demonstrated in my photograph 18. It is important to note that in the limited views of the site, it is not seen in the context of open countryside. The views are from routes that are in a village edge context and do not generally link to long distance routes or a wider network. As a result, views from footpaths are given a moderate sensitivity.



- 5.6.5 In terms of magnitude of the effects, the viewing opportunities from footpaths are limited in extent and number, and the magnitude is therefore assessed as negligible (Viewpoints 7, 11 and 12), slight (Viewpoint 8) and moderate (Viewpoints 4A and 5A).
- 5.6.6 As a result, receptors are assessed as experiencing moderately significant effects from only two public rights of way viewpoints. Viewpoint 5A from footpath 101/6 has an uncharacteristic open view across the site, because it is on the site. The view includes development on the skyline along Berry Hill Road as well as the stables adjacent to the eastern boundary. Over the length of the path, the view is often influenced by adjacent development, and therefore the expectation of the receptor is less than in a more rural setting. Viewpoint 4A from footpath 101/3 shows one of the rare glimpses through the hedge and therefore is not entirely representative of the experience of path users. For most of the footpath adjacent to the site, there are no views and as the receptor travels further north, the effect of the hedge is supplemented by the path descending into a Holloway as it leads to the valley floor.
- 5.6.7 From Berry Hill Road, represented by Viewpoints 1A, 2A, 3A, 6A and 9, the sensitivity is low as visual receptors have low expectations when driving or walking. Berry Hill Road is not a scenic route for motorists, and its verges are not designated public rights of way for walkers. Those five views occur in an overall length of about 230m along Berry Hill Road, which emphasises the local effects. They are, with the exception of 6A, from immediately in front of the southern boundary of the site.
- 5.6.8 In terms of magnitude, of those Viewpoints, 1A, 2A and 9 are of assessed as of moderate magnitude as the effect of the proposals in the view will be result in a clearly noticeable change to the view. However, except for Viewpoint 6A, they are right-angle views through occasional and heavily filtered gaps in the boundary vegetation and not typical of the experience of travelling along Berry Hill Road. They are occasional and fleeting whilst the experience of travelling along Berry Hill Road is focussed on the route, with gaps barely discernible owing to the overlapping effect of the vegetation when looking along it, as can be seen in Viewpoint 3A.
- 5.6.9 No visual effects are assessed as wholly Significant, despite the unsubstantiated assessment by the Council. It is clear that it views of the site could not result in significant visual effects from any receptor.
- 5.6.10 The Visual Effects Table shows Significant Adverse effects on only two viewpoints out of the sixteen selected, which are Viewpoint 4A (public right of way to east of site, looking west) and 5A (public right of way along northern boundary of site, looking south). In both cases those effects were only of Moderate Significance partly as a result of the moderate sensitivity of the receptors, which were both users of public footpaths.
- 5.6.11 Owing to the substantial tree belt on the southern site boundary along Berry Hill Road, clear views of the Church of St Mary the Virgin across the site are limited even in winter, when the situation is regarded as 'worst case' without the additional screening provided by leaves on trees and hedges. The most open existing view of the church



across the site is from the existing gate off Berry Hill Road, which is only a fleeting view for receptors, most of whom are road users. The development has been designed to accommodate that view and open up a new view from the south-western part of the site. Additionally, by allowing public access to the site as a result of the development and the extensive area of open space, clear and open views of the church would be made available, which are currently only available to those who have access to the private land.

5.6.12 In the Revised Addendum, some minor amendments arose to the analysis of visual effects, so that the Visual Effects were amended and have been taken account of in **Appendix C**. None of those changes resulted in any increase to significant effects.

5.6.13 As a result, the assessment of Visual Effects in the Addendum remains current as it shows Significant Adverse effects on only two viewpoints out of the sixteen selected, and in both cases those effects were only of Moderate Significance as a result of the moderate sensitivity of the receptors, which were both users of public footpaths. Neither of the Significant Effects are more than local effects.

5.6.14 As set out in the LVA, in terms of statutory and non-statutory designations, there are none on or adjacent to the site. The Conservation Area and listed buildings are sufficiently separated by intervening vegetation and distance for there to be no discernible indirect effects.

5.6.15 In the Officer's Report, 7.4 refers to the Landscape Officer's response to the original scheme, and notes:

Comments provided to the various viewpoints submitted, some of which are considered to under-estimate the effects.

5.6.16 Those comments were not included in the Officer's Report, but I assume that they are those contained in the note from the Landscape Officer (Judith Ward) to the case officer (Caroline Ford) dated 22 March 2018, in **Appendix H**.

5.6.17 I have reviewed those comments and am not sure on what they are based. There is no indication of any methodology used, nor has there been criticism of my methodology. There is no indication of the officer's assessment of sensitivity, no identifiable measure of magnitude and no assessment of significance of the effect as a result of those two factors. They are simple, bold statements of opinion without any supporting analysis. I suggest that my Visual Effects Tables are the reliable evidence.

5.6.18 I have set out my response to the Landscape Officer's comments in a table in **Appendix I**.

5.6.19 In further comments on the original scheme, the Landscape Officer notes that:

The site allows an attractive view of the church which would mostly be lost; it would only be available as a fleeting glimpse from Berry Hill Road.



- 5.6.20 I have analysed the views available from Berry Hill Road and explained them fully in the Visual Effects Tables, not least that the only way to obtain an unimpeded view of the church from Berry Hill Road is by going to the site entrance, see Viewpoint 2A, which involves crossing the verge. This view is only available to pedestrians walking along the road which has no roadside footpaths in the location. Before the hedge grew up and the trees became more mature, it is possible that more views would have been available, but it would still be to road users or pedestrians walking along the verge. Neither of those are regarded as sensitive receptors who would be using the road for recreational purposes where they would have a primary interest in the view. The hedge has grown up; clear views are no longer available. There are, currently, only fleeting views available.
- 5.6.21 In any event, the development would allow public access to what is currently private land, to experience an open view across the northern part of the site, which would remain open, to the church spire and tower above the trees on the horizon. I understand that there is no longer a heritage objection to the proposal from the Council, and I am not qualified to comment on heritage issues except as elements of the landscape or views.
- 5.6.22 However, Historic England's comments in the Officer's Report at 7.26 are, inter alia, as follows:

The indicative layout and supporting information for the reduced scheme for up to 40 dwellings acknowledges and establishes the importance of views of the church from Berry Hill Road which is welcome and it is acknowledged that allowing public access to the proposed green space to the north of the site would enable new, clear views of the church which would enable better appreciation of the building within the landscape.

5.7 POLICY

- 5.7.1 In accordance with the NPPF paragraph 8, the proposals accord with social objectives b) and c) through the well-designed built environment that includes accessible open spaces that are future-proofed by management and allow access to a large area of open space that is dominated by nature, acknowledging the value of being close to nature as being beneficial to well-being. It will also protect and enhance the natural environment through the retention of important landscape features and the development of the open spaces.
- 5.7.2 Paragraph 96 addresses open space and recreation, and the proposals will provide access to a network of high-quality open spaces across the site as well as the green infrastructure identified in the Neighbourhood Plan. In accordance with paragraph 98, the proposals protect and enhance public rights of way and access, by retaining the separation between the site and the footpath to the east and by retaining the footpath to the north and indeed improving its setting through the development of a diverse open space. The proposals will also add links to the wider rights of way network.



- 5.7.3 In accordance with paragraph 127, the proposals add to the overall quality of the site through the sustainable and accessible open space, will be visually attractive as a result of good architecture and layout which reflect the character of Adderbury, and appropriate and effective landscape design which is sympathetic to local character, the surrounding built environment and landscape setting, as identified in this Statement. It will also establish a strong sense of place, using the arrangement of streets, spaces, building types and materials as set out in the Design and Access Statement. The potential of the site will be realised to accommodate and sustain an appropriate amount and mix of development, which includes green open space, safely overlooked and readily accessible to make it safe and inclusive.
- 5.7.4 The development proposed takes account of the character of the area by having undertaken the LVA and the Addenda to establish the character of the site and its setting, and which has been used to inform the layout of the development as well as the landscape design. However, the mitigation largely delivers enhancement rather than screening or filtering of views, given the limited effects beyond the site.
- 5.7.5 As required by paragraph 170, the proposals will contribute to and enhance the natural and local environment. Although the site and its setting have not been identified or designated as valued landscapes, sites of biodiversity or geological value, nevertheless the proposals recognise the intrinsic character and beauty of the countryside by developing land that does not have a distinctive character or value and that relates more closely to the settlement edge than the wider countryside. It will also provide net gain for biodiversity, establishing coherent ecological networks that connect to the wider landscape.
- 5.7.6 With regards to the 2011 – 2031 Local Plan, the proposals accord with Policy Villages 2 as the land has not been identified in any robust study as being of particular environmental value, nor have significant adverse impact on landscape, heritage or wildlife. It would contribute towards enhancing the built environment by providing development that is in character with Adderbury, as set out in the Design and Access Statement.
- 5.7.7 The proposals accord with policy ESD 13 of the 2015 Local Plan through restoration, management and enhancement of existing landscape features, which in this case includes the boundary vegetation, the open character of the northern part of the site and the topography of the valley feature. It would accord with the criteria set out in the policy and which are relevant to the site, as demonstrated in this appraisal, by not causing undue visual harm to the open countryside; it would protect the natural landscape features and topography, be consistent with local character (which, in the published character assessment, requires enhancement of existing hedgerows and their sensitive management), and would not harm the setting of settlements, buildings, structures or other landmark features.
- 5.7.8 With regards to Policy ESD 15, the proposals will complement and enhance the character of its context through sensitive siting, layout and high-quality design. The layout has been dictated by the need to respect topography, existing vegetated



boundaries, settlement pattern, increased public access and views. Even though the proposals are not in the vicinity of any of the District's distinctive natural or historic assets, the proposal achieves high quality design.

- 5.7.9 Local distinctiveness will be respected, as will local topography and landscape features, which in this case are significant trees, historic boundaries, landmarks, features or views despite not being in a designated landscape, within the Cherwell Valley or within a conservation area or its setting.
- 5.7.10 It will also respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings as discussed in the Design and Access Statement. It will integrate with Berry Hill Road by providing a similar frontage as well as provide a new footpath along the existing verge. There are no existing public spaces with which to integrate, but the proposed open spaces will integrate with the existing green infrastructure on and beyond the site. As can be seen from the Design and Access Statement, buildings will be configured to create clearly defined active public frontages.
- 5.7.11 Saved Policy C8 from the 1996 Local Plan requires resistance to sporadic development in the open countryside, and in particular near to major road junctions, with the commentary explaining that it will maintain the attractive, open, rural character of the countryside. Sporadic is not defined, but according to the Collins Concise Dictionary, sporadic means occurring at regular intervals; scattered; isolated. The proposals are not scattered or isolated but are closely related to the developed edge of Adderbury and will be contained within a framework of existing boundaries, reinforced by new planting and protected by setting development back from the boundaries. The site is not near a major junction and is certainly not, in character terms, in open countryside.
- 5.7.12 In accordance with Saved Policy C27, the development proposals will respect the historic settlement pattern, as set out in the Design and Access Statement, where the proposals take cues from the traditional street pattern and building form. However, the location on Berry Hill Road is not part of the historic street pattern. The proposals will not result in the obliteration of part of an historic plan form or fail to respect the traditional settlement pattern. The site is not within the conservation area.
- 5.7.13 With regards to Saved Policy C33, it is not clear how this policy relates to the site or the village, as the settlement is not loose knit, no important gaps have been identified in the Local Plan or the Neighbourhood Plan which include the site, and there is no issue in the reason for refusal relating to listed buildings or preserving a particular or important view. The Officer's Report is doubtful about the enhancement and provision of views of the church, but I believe that I have set out clearly how that doubt is not well placed.
- 5.7.14 From the Adderbury Neighbourhood Plan, Policy AD 1 requires development proposals outside the Adderbury Settlement Boundary to demonstrate that they will enhance, or at least not harm, local landscape character. It is very unusual for



proposals on greenfield sites, even on the edge of settlements, to cause no harm to landscape character. I cannot recall any sites that I have worked on that have resulted in no harm, and only enhancement. In this case, the effects are localised and anticipated for any greenfield site. Part of the planning balance, amongst such factors as housing need and heritage effects, which I do not address, there are benefits and in this case they include the protection and enhancement of the existing boundaries, and the creation of open space and expansion of, and connection, to the existing green infrastructure.

- 5.7.15 On Policies Map Insert C, the adjacent character area of Berry Hill Road and St Mary's Road is described. The policy does not cover the site, but nevertheless the design, as set out in the Design and Access Statement, incorporates some of the positive aspects of Berry Hill Road and St Mary's Road, including grass verges, boundary vegetation house fronting the road with a green interface (in the case of the site, the belt of trees and the verge).



6 CONCLUSIONS

6.1 LANDSCAPE AND VISUAL ISSUES

- 6.1.1 The landscape and visual aspects of the proposals have been subject to a thorough analysis through the preparation of a Landscape and Visual Appraisal, expanded by the preparation of Landscape and Visual Effects Tables for the Addenda. All those documents have been prepared in accordance with recognised professional guidelines and, in particular, Guidelines for Landscape and Visual Impact Assessment, 3rd Edition. The original work identified the likely visibility of the proposals, the character of the site and its setting and the role it plays in that setting. Neither in consultations with the Council nor in the Officer's Report did professional officers question my approach or offer an alternative, systematic analysis.
- 6.1.2 In character terms, the site has no unusual or out of the ordinary defining characteristics. It is a very ordinary series of paddocks, with associated stables and yards, contained within strong vegetated boundaries which separate it from the adjacent countryside. It is more closely related to the developed edge of West Adderbury. The same characteristics restrict views to and from ten wider landscape, so views are from adjacent paths and Berry Hill Road where they adjoin the site's boundaries.
- 6.1.3 The Council has not designated the site as of any landscape importance or value, and the Neighbourhood Plan does not identify it as being part of any view corridor, gap or, apart from the northern footpath, green infrastructure.
- 6.1.4 The conclusion of the Appraisal, and the subsequent Landscape and Visual Effects Tables, was that the development would not have any significant adverse effects on any of the assessed landscape receptors, and indeed would have beneficial effects on trees and hedges owing to the ability to manage and monitor those features and ultimately ensure their replacement. That would not happen in the absence of sensitive development that provides sustainability for those features, as well as additional planting to increase the tree cover in the area.
- 6.1.5 In terms of visual effects, development would only be locally visible, generally only to receptors of low sensitivity, and would not result in adverse visual effects of significance. The analyses submitted to the Council on three occasions did not identify any adverse effects beyond those associated with an ordinary field on a settlement edge.
- 6.1.6 It is worth noting that the well vegetated approach to village would not be substantially changed, the existing development edge would be moved further east to the existing strong boundary and as is the case with the existing edge, the extent of development would not be readily perceptible.



6.2 SETTLEMENT PATTERN

- 6.2.1 The historic settlement pattern within the heart of Adderbury, and which gives the village its strong character, is absent from the existing development along Berry Hill Road. There is nothing remarkable about the layout or features of Berry Hill Road, it is a pleasant road of wide verges and some well vegetated gardens arranged along an approach road to the village.

6.3 DESIGN ISSUES

- 6.3.1 The design was based on my initial appraisal of the area and the site within it, modified after consultation with the planning officer and other specialists from the Council. The northern part of the site remained free from development.
- 6.3.2 With the proposal, large parts of the site become part of the wider green infrastructure of the area. This is achieved by not only the generous open spaces on the site expanding the village's green infrastructure, but also with new public access to and across the site, linking to the wider local footpath network.
- 6.3.3 Other enhancements include the way that the open spaces will be managed, bringing about net ecological gain on what is currently a field with little biodiversity interest, the management of the site and its trees and hedges for landscape and ecological reasons, which is currently not the case, and the supplementing of the existing vegetated new boundaries with new hedges, legacy trees, an orchard and woodland to increase the landscape and ecological interest, and the opportunities for linkages across the wider landscape. Of probably the greatest importance, in my view, is the provision of a management plan which will ensure that the existing and proposed landscape assets of the site will be sustained for the future.
- 6.3.4 Those enhancements are important benefits that need to be balanced against the limited harm which I have shown to be, in LVIA terms, not significant.

6.4 DETERMINATION

- 6.4.1 I believe that my Statement shows that the Appeal Site is suitable for the development proposed, which has evolved through an iterative design process to take account of landscape and visual parameters from the outset. There are no significant adverse effects on landscape or visual receptors, and indeed benefits have been identified. No landscape or visual designations would be adversely affected. The proposals respond to the site and its setting. I believe that permission should be granted.