

**Cherwell District Council**

**Symmetry Park, Oxford  
North - Junction 9, M40,  
Bicester**

**Landscape and Visual  
Impact Assessment -  
Review**

**Final report**

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## Cherwell District Council

### Symmetry Park, Oxford North - Junction 9, M40, Bicester Landscape and Visual Impact Assessment - Review

Version	Status	Prepared	Checked	Approved	Date
1.	Review of Draft LVIA - Draft review for discussion	D Hope	R Knight	R Knight	25.10.2021
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# Chapter 1

## Introduction

**1.1** LUC was commissioned by Cherwell District Council (CDC) to provide advice on landscape and visual matters relating to the submission of a full planning application for the development of a commercial headquarters on land immediately south-west of Little Chesterton at Junction 9 of the M40 (the 'Application Site'). This has included a site visit (August 24<sup>th</sup>, 2021), attendance at the Pre-Application Meeting with the applicant's landscape consultants (September 26<sup>th</sup>, 2021), a review of a Draft LVIA (October 2021), subsequent liaison on the proposed scope and methodology of the Landscape and Visual Impact Assessment (LVIA), and a review of the final submitted LVIA.

**1.2** This report sets out a review of the final submitted LVIA prepared by Environmental Dimension Partnership Ltd (EDP) as part of an Environmental Statement (ES) to accompany the planning application (22/01144/F). The review has been undertaken to ensure that the LVIA adheres to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). It comments specifically on the robustness of the LVIA in relation to current industry guidance – namely Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3) – and provides requests for clarification where relevant (see Chapter 3 for a summary of clarification requests).

**1.3** The review has been undertaken by Chartered Members of the Landscape Institute and is informed by the Landscape Institute's Technical Guidance Note 1/20 'Reviewing Landscape and Visual Impact Assessments and Landscape and Visual Appraisals'<sup>1</sup>.

### Application Site context

**1.4** The Application Site is flat to gently undulating, lying between approximately 65 and 70m above ordnance datum (AOD). It comprises open farmland defined by low hedgerows with occasional mature hedgerow trees. A small watercourse lined with well-established vegetation flows through the site to the south. Other features in and around the site include a small block of woodland, which is partly designated as an ancient woodland, along the western boundary; and tree belt planting along the northern boundary. A Public Right of Way

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<sup>1</sup> Landscape Institute (2020) Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs).

(PRoW) traverses the site roughly north-south connecting Little Chesterton and Wendlebury.

**1.5** The Application Site is located to the immediate south-west of the hamlet of Little Chesterton, to the north of the A41. Wendlebury village lies in close proximity to the south-east, separated from the Application Site by the A41. Other settlements in the wider area include Chesterton to the north-east and Weston-on-the-Green to the west. A small industrial estate of low-rise sheds/warehouses lies on the northern boundary of the site, contiguous with the edge of Little Chesterton. An area of playing fields and associated buildings has recently been granted permission to the north of the Site.

## Chapter 2

### Review of Draft LVIA

#### Scope of the Draft LVIA

**2.1** The LVIA is set out as Chapter 9 of the ES and is supported by the following:

- Technical Appendix 9.1: Landscape and Visual Impact Assessment (LVIA) baseline assessment – EDP incorporating:
  - Annex EDP 1: Methodology for Landscape and Visual Impact Assessment.
  - Annex EDP 2: Glossary of LVIA Terms.
  - Figure 9.1 Site Location and Site Context.
  - Figure 9.2 Environmental Planning Context.
  - Figure 9.3 Published Landscape Character.
  - Figure 9.4 Local Landscape Character.
  - Figure 9.5 Findings of Visual Appraisal.
  - Figure 9.6 Illustrative Landscape Strategy Plan.
  - Figure 9.7 Photoviewpoints EDP 1 – 15 and Illustrative Photoviewpoints A – G.
  - Figure 9.8 Night Views.
- Technical Appendix 9.2: Table of Effects: Visual Amenity;
- Technical Appendix 9.3: Cumulative Assessment;
- Technical Appendix 9.4: Detailed Landscape Proposals;
- Technical Appendix 9.5: Photomontages;
- Technical Appendix 9.6: Arboricultural Impact Assessment;
- Technical Appendix 9.7: Landscape Strategy; and
- Technical Appendix 9.8: Dunwoody Lighting.

**2.2** Chapter 9 of the LVIA sets out the relevant legislation, planning policy and guidance; the methodology; a description of the Application Site and study area; an assessment of the impact of the proposed development on landscape and visual receptors at construction, Year 1 operation and Year 15 of operation; and a concluding section.

**2.3** Other comments on scope are dealt with in the more detailed sections below.

## Baseline content

**2.4** A description of the Application Site and study area is set out in Chapter 9, with greater detail provided in Technical Appendix 9.1: Landscape and Visual Impact Assessment (LVIA) baseline assessment – EDP. This considers the landscape baseline and visual baseline separately which is appropriate.

**2.5** Paragraph 9.2.19 states that a broad study area was adopted as the initial search area, which enabled the geographical scope of the assessment to be defined and provided the wider geographical context of the study; and Paragraph 9.2.20 clarifies that the extent of this study area is 3km from the site boundary. Paragraph 9.3.28 and 9.3.29 then go on to say that this was established using Geographical Information System (GIS) to prepare a broad Zone of Theoretical Visibility (ZTV) based on digital surface modelling (DSM) data. This is an acceptable approach, and it was agreed at the Pre-Application Meeting that this provides an appropriately-sized study area. A draft ZTV was presented at the Pre-Application Meeting and this was used to select and agree representative assessment viewpoints.

## Landscape baseline

**2.6** The LVIA provides an overview of the published landscape character assessments relevant to the study area at a National and Local level. It summarises the key characteristics, key recommendations and guidelines for the 'Clay Vale' Landscape Character Type (LCT) identified within the Oxfordshire Wildlife and Landscape Study (2004), within which the Application Site is located. This is followed by 'EDP's Site-Specific Landscape Character Assessment', which sets out Landscape Value of the identified receptors – i.e. the 'Landscape Character of the Site and Context' and 'Site Landscape Features'. This contains a good level of detail and accords with the criteria set out in Methodology.

**2.7** Paragraph 9.3.4 also references two other studies – the Countryside Design Summary (1998) and the Cherwell District Landscape Assessment (1995) although no further mention is made of these in the Chapter, so it is unclear how this has informed the baseline content. This should be clarified in the LVIA Chapter.

**2.8** Paragraph 9.3.26 refers to landscape features, and this cross-refers to the Arboricultural Impact Assessment which is appropriate.

**2.9** The baseline section includes reference to the baseline character at night, including levels of lighting and key light sources. Paragraph 10.1.2 states that a total of seven locations (corresponding to six of the Photoviewpoints - 1, 3, 5, 6, 8 and 12 - plus one additional location) were visited between the hours of 19:00 and 21:00 on the 28th of October

2021, with photography being recorded. Night views are illustrated at Figure 9.8, Technical Appendix 9.1, which are useful.

## Visual Baseline

**2.10** The baseline report (Appendix 9.1) sets out a Zone of Primary Visibility (ZPV) on Figure 9.5 which is helpful. However, the report does not explain on what points (location and height) the ZTV has been modelled – this should be provided.

**2.11** Paragraph 9.3.28 states that EDP undertook an appraisal of the views available to and from the Application Site by walking and driving local roads and rights of way. 15 viewpoints (called Photoviewpoints – PVPs) have been selected to inform the visual assessment. The locations of these are shown on Figure 9.5: Findings of Visual Appraisal.

**2.12** From our review we consider there to be an appropriate number and geographic spread of viewpoints, representing various visual receptor types. The viewpoints were checked in the field by LUC and were subsequently agreed during and following the Pre-Application Meeting.

**2.13** A detailed baseline description of the views available from each viewpoint is provided in Technical Appendix 9.2. This provides a description of the nature, composition and characteristics of the existing views experienced at these viewpoints; and elements such as landform, buildings or vegetation, which may interrupt, filter or otherwise influence the views. This provides a reasonable amount of information and generally aligns with GLVIA3 (Paragraph 6.24). The subsequent visual assessment has been undertaken on a receptor basis (i.e. people), informed by a viewpoint assessment, which is appropriate and aligns with GLVIA3.

**2.14** The viewpoint photography is presented in Figure 9.7 of Technical Appendix 9.1. This was captured in late April and early September 2021 when deciduous vegetation is largely in leaf. However, Paragraph 9.2.12 states that the assessment of visual effects has considered seasonality, with professional judgement considering the likely worst-case scenario of effects, which is acceptable. .

**2.15** We would question whether the LVIA overplays the 'urbanising influence' (paragraph 9.3.18) of existing commercial/industrial properties to the immediate north of the Application Site. For example paragraph 9.3.33 describes this as a "*peri-urban context*". From our site visit and review of the viewpoint photography the commercial structures are similar in appearance and character to agricultural buildings in the wider area (e.g. see viewpoint 1 and 11), that is low-rise structures clad in corrugated steel.

## Assessment

### Methodology

**2.16** The Methodology is summarised in Chapter 9 with a more detailed version provided in Technical Appendix 9.1 Annex EDP 1.

**2.17** Paragraph 9.2.14 acknowledges that *“the purpose of the EIA process is to identify the likely significant environmental effects (both beneficial and adverse) arising from Application Proposals”*. The methodology also acknowledges the relevance of GLVIA3 as guidance for undertaking LVIA, and the components of the report generally align with the broad principles set out in GLVIA3. This includes baseline studies, description and details of the landscape proposals and mitigation, and the identification and description of the likely effects of the proposed development. It also provides separate consideration of landscape and visual effects, and generally uses terminology consistent with GLVIA3.

**2.18** The methodology presents thresholds/criteria used to inform judgements. In accordance with GLVIA3, this includes for the sensitivity of landscape and visual receptors (including consideration of both value and susceptibility); magnitude of change to receptors (with reference to size/ scale of change, geographical extent, duration and reversibility); and overall level/significance of effect.

**2.19** Table 9.2 sets out criteria for determining visual sensitivity which incorporates value and susceptibility. This is acceptable.

**2.20** Paragraph 9.2.16 states that for landscape and visual effects those effects identified at a substantial, major, major/moderate or moderate level (emboldened in the tables) are generally considered to be significant and those effects assessed at a moderate/minor, minor, minor/ negligible or negligible level are considered to be not significant. Table 9.5 sets out a matrix for determining levels of effect and Paragraph 9.2.16 and 9.2.17 indicate that professional judgement is applied in determining level of overall change, which is appropriate. Paragraph 9.2.16 states that *“Each effect is described and evaluated individually through the integration of all of the relevant factors and assessed as either significant or not significant”*. Paragraph 9.2.17 then adds that *“In certain cases, where additional factors may arise, a further degree of professional judgement may be applied when determining the level of overall change. For example, in cases where a moderate/minor effect is experienced by a high or very high sensitivity receptor, this may be considered to be significant. Where this occurs, further explanation is given”*. Overall the methodology has been applied in a consistent way, with clear and transparent judgements presented. The Moderate/Minor effect identified on people travelling past the site during construction and early years of operation, is deemed to be

significant, as is the effect identified for residential receptors in Little Chesterton at Year 15.

### Assessment of effects during construction

**2.21** The landscape and visual effects during construction are set out in Chapter 9 of the LVIA. Whilst the assessment of views/visual amenity is supported by more detailed tables within Technical Appendix 9.2, no such corresponding detail is provided for landscape receptors, which are supported by narrative descriptive text in Chapter 9. However, the landscape assessment generally displays clarity and transparency in its reasoning, and the basis for its findings and conclusions.

**2.22** Whilst the assessment describes the ‘site context after dark’ (as noted in Paragraph 2.9 above), it does not currently set out lighting proposals associated with the development or assess the effects of lighting at night. Paragraph 9.4.5 states that *“alteration to existing night-time views, from additional lighting that would form part of the proposed development, is considered within the Dunwoody Lighting Design (refer to Technical Appendix 9.8)”*. The Dunwoody Lighting Design report is a technical assessment considering lux levels within the site and surrounding areas; it does not consider the effect of the lighting proposals on landscape and visual receptors, which should be assessed as part of the LVIA. This should be provided.

**2.23** Significant adverse effects are identified during the construction phase for:

- The landscape character of the Site – Major/Moderate adverse;
- On-site Landscape Features - Major/Moderate adverse.
- the Clay Vale LCT- Moderate adverse;
- Visual receptors travelling directly past the Application Site on the A41 - Moderate/Minor adverse;
- Visual receptors (PRoW and minor road users) in close proximity to the Application Site – Major/Moderate adverse; and
- Residents in Little Chesterton - Major/Moderate adverse.

**2.24** These should be taken account of by the Local Planning Authority in the overall planning balance. Any night time effects should also be included in that balancing exercise.

### Assessment of effects during operation

**2.25** The landscape and visual effects during operation year 1 and 15 are set out in Chapter 9 of the LVIA. As noted for the construction phase effects, the assessment of views/visual amenity is supported by a more detail in tabulated form within Technical Appendix 9.2, but the assessment of landscape



effects is not. However, notwithstanding this, the landscape assessment generally displays clarity and transparency in its reasoning, and the basis for its findings and conclusions.

**2.26** As noted in Paragraph 2.22 above, the LVIA does not currently set out lighting proposals associated with the development or assess the effects of lighting at night on landscape and visual receptors. This should be provided.

**2.27** The LVIA does not currently set out assumptions on the growth rate of proposed planting and this should be provided (see below).

**2.28** Significant adverse effects are identified in operation year 1 for:

- The landscape character of the Site – moderate adverse;
- On-site Landscape Features - moderate adverse.
- Visual receptors travelling directly past the Application Site on the A41 - moderate/minor adverse;
- Visual receptors (PRoW and minor road users) in close proximity to the Application Site – major/moderate adverse; and
- Residents in Little Chesterton - moderate adverse.

**2.29** Significant adverse and beneficial effects are identified in operation year 15 for:

- On-site Landscape Features - moderate adverse and beneficial;
- Visual receptors (PRoW and minor road users) in close proximity to the Application Site – moderate adverse (N.B. images in the DAS show how the PRoW crosses the access road); and
- Residents in Little Chesterton – moderate/minor adverse.

**2.30** These should be taken account of by the Local Planning Authority in the overall planning balance, alongside night time effects.

### Secondary, Cumulative and Combined Impacts

**2.31** A separate figure produced by Savills (Figure 3.1) shows the location and relationship to the Application Site of the identified cumulative schemes, and this is referenced in the LVIA Chapter.

**2.32** Paragraph 9.8.1 states that the cumulative landscape and visual impact assessment uses the same assessment methodology as that presented for the main LVIA, which seems reasonable.

**2.33** A cumulative assessment is provided for the same landscape and visual receptors assessed for the proposed development, which is reasonable.

**2.34** The cumulative assessment is set out in the LVIA Chapter, supported by Technical Appendix 9.3. The assessment of cumulative landscape effects includes the sensitivity of each receptor considered (comprising susceptibility and value) and magnitude judgements. The conclusions for developments assessed seem appropriate, although we note the following discrepancies which should be clarified:

- Cumulative Site 17 is considered as part of the cumulative assessment (e.g. for receptors travelling along the M40), although this is not included in Table 9.7 or Figure 3.1; and
- Paragraph 9.8.7 states that “*views from the north of the site where relatively short distance views of the proposed development are possible with Cumulative Site 1*”, although Cumulative Site 1 is not mentioned within Appendix 9.3 with viewpoints to the north of the site generally referencing Cumulative Site 14 and 17 (Cumulative Site 1 is mentioned in regard to viewpoint 6, although the planning reference is for Cumulative Site 14); it is therefore assumed that this is a typographical error, but this should be clarified.

### Visualisations

**2.35** The locations used for the production of visualisations were agreed with CDC and LUC.. LUC also suggested at the Pre-Application Meeting that, as the details of the scheme and buildings had been defined, it may be useful to include an additional visualisation or DAS CGI of the building from its 'front' (as the only clear image in the draft visualisations was from the 'rear' of the building). This has been included within the DAS, which is helpful.

**2.36** A methodology is included which is helpful. However, the applicant should clarify:

- which aspects of the development have been modelled into the wirelines and full renders (and what is not shown in each) e.g. access road, proposed fencing, built detail, and proposed vegetation; and
- whether there are any views where these aspects would be visible but are not shown in the visualisations.

**2.37** The applicant should also clarify what growth rates have been assumed for vegetation (and what height it has been shown at 15 years in the visualisations).

**2.38** Since the photographs have been taken with leaves on trees there will be greater visibility of the development than shown. The applicant should clarify which vegetation will be in

front of the development and which will be removed or behind the building for viewpoints 6 and 11.

**2.39** Note for the Council: The images should be viewed at A1 width (or 100% on screen) and no smaller to ensure they provide a reasonable indication of the scale of the proposal. Visualisations should ideally be used in the field so that the real scale of the change can be observed and appreciated.

## Mitigation

**2.40** Paragraph 9.5.5 states that the landscape and visual mitigation strategy has been informed by the LVIA process. Paragraph 9.5.7 then sets out the principles of the landscape design.

**2.41** However, this does not include how the LVIA has informed the design of the built development (i.e. height, massing, orientation, siting and materials). We note that section 6.1 of the DAS states that *“as part of the detailed design process careful consideration has been given to: ... Building mass, form and overall height to minimise the visual impact and to ensure that the development both complements the existing context and provides the framework for the current generation of manufacturing facilities”*. The applicant should clarify how the LVIA has influenced the proposed built development in terms of siting, orientation/arrangement, height, massing, architectural detail and materials/ colours.

**2.42** The applicant should also comment on whether the bunds will be softened to appear ‘natural’ (the bunds shown on the detailed landscape proposals in Appendix 9.4 look very angular).

## Non-Technical Summary

**2.43** The landscape and visual section of the NTS sets out the significant landscape and visual effects identified. It provides sufficient information for the non-specialist reader to understand the main environmental impacts of the proposal without reference to the main ES.

## Presentation of the assessment findings

**2.44** The LVIA is presented in logical sections utilising a mix of text, plans and photographs to communicate the assessment findings.

**2.45** It would have helped to have the development proposal on the LVIA figures (especially as the proposal is for full planning permission). However, it has been possible to refer to separate figures showing the proposed development and landscape proposals.

## Chapter 3

### Summary and recommendations

**3.1** The LVIA prepared to support the planning application (22/01144/F) follows the general principles set out within GLVIA3. However, to be able to make a fully informed planning decision, a request for further information and/or clarification is recommended to include:

- Detail on how the LVIA has informed the design of the built development in terms of siting, orientation/arrangement, height, massing, architectural detail and materials/ colours.
- Clarification on what points (location and height) the ZTV has been modelled on.
- How lighting proposals would affect landscape and visual receptors during the construction and operational phases (this should cross-refer to relevant parts of the Dunwoody External Lighting Assessment).
- Assumptions on the growth rate of proposed planting (and heights assumed at Year 15), as assessed within the LVIA and shown on the visualisations.
- Which aspects of the development have been modelled into the wirelines and full renders (and what is not shown in each), e.g. access road, proposed fencing, built detail, and proposed vegetation – and whether any of these aspects would be visible in any of the viewpoints.
- Whether Cumulative Site 17 has been considered as part of the cumulative assessment (e.g. for receptors travelling along the M40), as it is not included in Table 9.7 or Figure 3.1.
- Whether reference to 'Cumulative Site 1' at Paragraph 9.8.7 and viewpoints 6 are typographical errors (and if so what cumulative sites these references should refer to).
- Which vegetation will be in front of the development and which will be removed or behind the building for viewpoints 6 and 11.
- Whether the bunds will be softened to appear 'natural' (the bunds shown on the detailed landscape proposals in Appendix 9.4 look very 'angular').