

LAND AT SOUTH LODGE,
FRINGFORD ROAD, CAVERSFIELD, BICESTER

PINS Appeal Ref: APP/C3105/A/13/2208385
Application Ref: 13/01056/OUT

Landscape & Visual Proof of Evidence

Kevin Charsley BA (Hons) Dip LA CMLI

COPYRIGHT

**The copyright of this document
remains with Aspect Landscape Planning Ltd.**

**The contents of this document
therefore must not be copied or
reproduced in whole or in part
for any purpose without the
written consent of
Aspect Landscape Planning Ltd.**

Aspect Landscape Planning Ltd
Hardwick Business Park
Noral Way
Banbury
Oxfordshire
OX16 2AF

t 01295 276066

f 01295 265072

e info@aspect-landscape.com

w www.aspect-landscape.com

CONTENTS

1	INTRODUCTION	1
2	POLICY BACKGROUND REVIEW	4
3	ASSESSMENT OF LANDSCAPE EFFECTS	8
4	ASSESSMENT OF VISUAL EFFECTS	18
5	POLICY IMPLICATIONS	29
6	SUMMARY AND CONCLUSIONS	32

APPENDICES

Refer to separate A3 Appendices document

APPENDIX KC1	LVIA Methodology
APPENDIX KC2	National Character Areas
APPENDIX KC3	Cherwell Landscape Character Assessment 5330/ Figure 1 Landscape Character Types
APPENDIX KC4	Oxfordshire Wildlife and Landscape Study
APPENDIX KC5	Landscape Analysis 5330/ Figure 2 Landscape Analysis
APPENDIX KC6	Visual Assessment 5330/ Figure 3 Viewpoint Location Plan
APPENDIX KC7	The Appeal Proposals in Context 5330/ Figure 4 Context Masterplan

1. INTRODUCTION

- 1.1. My name is Kevin Charsley. I hold an Honours Degree and Post Graduate Diploma in Landscape Architecture, and I am a Chartered Member of the Landscape Institute. I am Associate Director of Aspect Landscape Planning Ltd, a practice that provides landscape planning and design services to the private and public sectors.
- 1.2. Over the past 14 years I have advised on landscape issues relating to a broad range of developments including, residential, retail, commercial, employment, industrial, health care, minerals, renewable energy, landfill and leisure schemes. Many of the sites I have advised clients on are in or adjacent to sensitive areas including Green Belt, Areas of Outstanding Natural Beauty, Historic Parks and Gardens, National Parks, Conservation Areas and Listed Buildings.
- 1.3. I have been instructed by Cala Homes (Midlands) Ltd to provide the landscape and visual evidence relating to the Public Inquiry following refusal of planning permission for residential development at Fringford Road, Bicester.
- 1.4. I have visited the area local to the site and the wider setting on a number of occasions between November 2013 and February 2014 for this Inquiry, having previously not worked on the project at the application stage. I have carried out a desktop study of OS data and physical and historic information, and undertaken fieldwork to appraise the site and setting, viewing from villages, individual properties, roads, rights of way and areas of accessible open space.
- 1.5. The decision notice cites four reasons for refusal. The reason for refusal relevant to my proof is as follows:

1) *The proposal represents development beyond the built up limits of Caversfield where there is no proven need for agriculture or other existing undertaking and the application has not been made on the basis that this is a rural exceptions site. As the proposal cannot be justified on the basis of an identified need in an unsustainable location, it represents sporadic development in the countryside which fails to maintain its rural character and appearance and which fails to conserve and enhance the environment by introducing an incongruous, prominent, urbanising and discordance built form into this rural setting to the detriment of the visual amenities of the area. The application is, therefore, contrary to Policies H15, H18, C7, C8, C28 and C30 of the adopted Cherwell Local Plan, Policies ESD13, ESD15 & ESD18 and Villages 1 and 2 of the Proposed Submission Local Plan Incorporating Changes March 2013 and Government guidance contained in the National Planning Policy Framework.*

1.6. Reason for refusal 2 states that the development would “erode an important green buffer gap between the planned expansion of Bicester and the village of Caversfield”. My evidence will touch upon this planning policy as its purposes relate in part to the landscape setting of settlements and important views.

1.7. The purpose of my evidence is to consider the effects of the development on the landscape character and visual amenities of the local area, and test this against the relevant policy background, the published character assessments, and the visual assessment work carried out in the LVA and within this proof. The evidence I give has taken account of relevant guidance within the Guidelines for Landscape and Visual Assessment Third Edition 2013 (GLVIA3), and is based on established methodology that Aspect Landscape Planning Ltd rely, which is found in **Appendix KC1**.

1.8. My evidence will therefore consider the following matters:

- Landscape related planning policy.
- The landscape character baseline and the potential landscape effects on the character and appearance of the surrounding area.
- The visual amenity of the site and its setting and the potential visual effects on public rights of way, settlements including private properties, and the RAF Bicester Conservation Area.
- The policy implications of developing the appeal site, and whether it accords with adopted and emerging Local Plan policy, including the draft Green Buffer designation.

1.9. In reaching the conclusion of the site and its setting, the appeal site proposal and its receiving environment, I am of the view that the proposals would not result in a significant harm to the landscape character or the visual environment of the surrounding area.

1.10. The evidence which I have prepared and provide for this appeal reference APP/C3105/A/13/2208385 (in this proof of evidence) is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2. POLICY BACKGROUND REVIEW

- 2.1. As part of the evidence base for this Proof, it is not the intention to provide a review of all the policies at the national, regional and local level, rather to identify the relevant policies relating to the reasons for refusal I will be giving evidence on.
- 2.2. The relevant development plan consists of the adopted Cherwell Local Plan and the saved policies thereof, and the Proposed Submission Local Plan Incorporating Changes March 2013.

National Context

National Planning Policy Framework

- 2.3. The National Planning Policy Framework (NPPF) was published on the 27th March 2012, replacing the existing system of national planning policy guidance and statements. Paragraph 14 of the NPPF sets out the core development principles, and states:

***“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*”**

- 2.4. The guidance sets out a number of core land-use planning principles in paragraph 17, which underpin both plan-making and decision-taking. The relevant core principles are as follows;

- ***always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings;***
- ***take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the***

intrinsic character and beauty of the countryside and supporting thriving rural communities within it;

- 2.5. The requirement for good design is further emphasised in paragraph 64 stating that:

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

- 2.6. The NPPF is a material consideration in my assessment of the site and its setting, and the framework will be referenced where necessary to weigh the proposals against the guidance and principles contained within the NPPF.

Local Context

Cherwell Local Plan Adopted November 1996

- 2.7. The Cherwell District Council Local Plan was adopted in 1996 but is now out of date and should be afforded limited weight. The site is not covered by any landscape designations within the Cherwell Local Plan.
- 2.8. A number of policies contained within the Local Plan have been ‘saved’ until such time as they are replaced through emerging policy. Saved policies that are considered to be of relevance include: Policy C7 and C8 – Landscape Conservation; and Policy C17 – The Urban Fringe.
- 2.9. Policy C7 states:

Development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape.

- 2.10. The Non Statutory Cherwell Local Plan 2011 is not a formalised part of the development plan although it was approved as interim planning policy for development control purposes, it should be afforded limited weight.

Cherwell Local Plan 2006 -2031

The decision notice was issued on 4th October 2013 at which point the latest draft was the Proposed Submission Local Plan Incorporating Changes March 2013. Since then the public consultation has taken place, and a subsequent draft Submission Cherwell Local Plan was endorsed by the council on 21st October 2013 which will be published for formal submission to the Secretary of State. I therefore take reference from this later document in my evidence.

- 2.11. The site is not allocated within the Proposed Submission Local Plan, however, the land immediately to the west is identified as NW Bicester Phase 1 'Exemplar' development. Policies of relevance include: ESD13: Local Landscape Protection and Enhancement; ESD15: Green Boundaries to Growth; Policy ESD 16: The Character of the Built and Historic Environment; and Policy ESD18 Green Infrastructure.
- 2.12. Policy ESD 13 regarding 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.***

2.13. The evidence base for the emerging Local Plan includes the following relevant documents to my evidence to which I will make reference:

- Landscape Sensitivity and Capacity Assessment (Sept 2010)
- Bicester Landscape Sensitivity and Capacity Assessment (Sept 2013)
- Oxfordshire Wildlife and Landscape Study
- Cherwell Landscape Assessment (1995)
- Bicester Green Buffer Report (Sept 2013)
- Bicester Masterplan SPD – Consultation Draft (Aug 2012)

3. ASSESSMENT OF LANDSCAPE EFFECTS

- 3.1. The reason for refusal on landscape grounds states that the proposal represents *“sporadic development in the countryside which fails to maintain its rural character and appearance and which fails to conserve and enhance the environment”*. The Councils case is that the development is encroachment into the open countryside which in turn results in harm to the character and appearance of its rural setting. Policy ESD 13 is the relevant policy that guides development to respect and enhance local landscape character and not to cause undue visual intrusion into the open countryside or harm to important natural landscape features and topography.
- 3.2. In order to establish the local character and appearance of the landscape in question, I have sought to determine the landscape baseline through published character assessments and my own fieldwork.

National Landscape Character

- 3.3. At a national scale, England is divided up into 159 National Character Areas (NCA's) which are distinct natural areas defined by a combination of landscape, biodiversity, geodiversity and cultural and economic activity. These are the top tier of character assessments, although the inevitable scale of the NCA's provides an overall landscape context but is not the appropriate basis for assessing the effects of a particular proposal.
- 3.4. The site lies on the border of two NCA's; 108 'Upper Thames Clay Vale' and 107 'Cotswolds'. The areas were illustrated on Figure 8 of the LVA. Whilst the site is located close to the boundary between two areas, there is not a dramatic change in character on the ground and this is more often interpreted as a transition area between two very broad

character zones The full description of both NCA's is provided at **Appendix KC2**.

Local Landscape Character

- 3.5. A local landscape character assessment was published by Cherwell District Council in November 1995 which provides a robust appraisal of the various landscape character types and areas which make up the localised and wider context of the site. More recently, Oxfordshire County Council have produced a Oxfordshire Wildlife and Landscape Study (OWLS) in 2004.
- 3.6. In the Cherwell District Landscape Character Assessment the site is identified as landscape type R3a 'Large Scale Arable Farmland Enclosed by Woodlands' located within the 'Oxfordshire Estate Farmlands' landscape character area. The assessment in its description of the Oxfordshire Estate Farmlands refers to the landscape types R3a and R2b that lie in the vicinity of the site:-

Large scale arable farmland enclosed by woods and copses (R3a) is found across this character area, where the landscape is structured on a large scale by woodland belts. The fields tend to be large and open, without any boundary. Plantations are located in long strips along watercourses, roads or other natural boundaries.

To the north of Bicester the landscape opens out into a ***rolling arable landscape with strong field pattern copses and trees (R2b)***. The patchwork of arable and pasture is given definition by well maintained hedges. Many of the hedges contain regularly spaced mature hedgerow oaks, some of which are in excellent health although substantial numbers are beginning to die back. Road verges are generous widths, and often have a ditch and hedge on either side.

3.7. There are four principle landscape types that lie adjacent to the site as shown on Figure 1 in **Appendix KC3**, which are:

- *R2a Rolling arable landscape with weak field pattern and isolated trees*
- *R3a Large scale arable farmland enclosed by woodlands*
- *T1 Rural fringe farmland*
- *T4 Airfields (operational and disused)*

3.8. Landscape types R1a (flat low-lying arable farmland with weak structure) and R2b (rolling arable landscape with strong field pattern copses and trees) are detached from the site, although cover large tracts of land to the north of Bicester. Landscape type T1 to the immediate south of the site is described in the LCA as *“farmland which is intruded upon by other uses which alters its essentially rural character”*.

3.9. The Cherwell assessment also seeks to identify strategic priorities for landscape conservation and enhancement of the landscape character types. The strategy for this site is identified as a ‘Repair Landscape’ which is described as follows:

These are areas where the landscape character is still reasonably strong and worthy of conservation, but where some or all of the individual features or overall structure are showing noticeable decline. They typically include most of the unspoilt rural landscapes which do not fall within the conservation category, incorporating large areas of the Oxfordshire Estate Farmlands, the Upper Cherwell Basin, and Otmoor Lowlands.

Landscape intervention should concentrate on repair of the weakening hedgerow and hedgerow tree structure, strengthening or replacement of traditional landscape features and screening or integration of

intrusive features. Usually only a minimal degree of intervention would be necessary to bring these areas up to the standard of conservation landscapes. Development in these areas must be sensitively sited, designed and integrated to ensure that the rural, unspoilt character of the landscape is maintained. However, precisely because their existing structure is so strong, these landscapes should be able to absorb limited areas of sensitive development.

3.10. Given that the assessment was carried out nearly 20 years ago, and there has seen some localised infill development around Bicester in the interim, this analysis of the landscape remains relevant and provides a detailed assessment of the landscape types. Figure 1 in **Appendix KC3** illustrates how these landscape types relate to the site and its setting.

3.11. The Oxfordshire Wildlife and Landscape Study (OWLS) carried out in 2004 provides an investigation of landscape character and biodiversity across the county. This study reassesses and consolidates the previous landscape types, identifying the site within the 'Wooded Estatelands' (refer to extract in **Appendix KC4**). This is stated as a "*wooded estate landscape characterised by arable farming and small villages with a strong vernacular character*". This landscape type covers a broad area across the Cherwell District in a similar way to the 'Oxfordshire Estate Farmlands' landscape character area in the Cherwell assessment. This landscape type is defined by its frequent parklands and their associated estatelands, woodlands and arable farmland. The key characteristics are as follows:

- *Rolling topography with localised steep slopes.*
- *Large blocks of ancient woodland and mixed plantations of variable sizes.*
- *Large parklands and mansion houses.*
- *A regularly shaped field pattern dominated by arable fields.*
- *Small villages with strong vernacular character*".

- 3.12. In more detail, the description of local character area 'Middleton Stoney' provides a useful summary of the characteristics, and this is included in the Wooded Estatelands extract (**Appendix KC4**). The site and setting does display some of the estateland character notably that of Caversfield House with associated 'parkland' trees, woodland blocks and a lake which reflects some of the larger Parks such as Tusmore to the north. *"Throughout the landscape, there are belts of young mixed and coniferous plantations next to roadside hedges and they often function as field boundaries. Hedgerow trees such as ash, sycamore and occasionally oak are found in some roadside hedges, but they are sparser to the north where there is more intensive arable cropping"*.
- 3.13. Given the vast extent of the Wooded Estatelands landscape type and following my appraisal of the site and its setting, I would characterise the site within a transition zone on the urban fringes of Bicester. It is identified as large scale open farmland within the Cherwell assessment, immediately adjacent to the two triangles of rural fringe farmland. The estate landscape character is also noted nearby to the northwest of the application site around Caversfield House, although much larger parkland estates referred to in the OWLS assessment are present in the wider setting and are more defining. The appeal site is characterised by the equestrian activities and the residential built form associated with South Lodge, as well as a line of properties on Fringford Road to the edge of the RAF Bicester Conservation Area. The extension to Bicester to the north of Skimmingdish Lane is a large urban area which influences the character of area and reduces the bucolic setting of this part of the open countryside. The two road corridors extending from the Bicester ring road to either side of the appeal site create connecting sinews to the wider setting.
- 3.14. The site lies within the 'large scale arable farmland enclosed by woodlands' LCT. This is apparent when assessing the level of woodland structure and field patterns from OS and aerial data as part of the first

stage of assessment (refer to Figure 1 in **Appendix KC3**). There is a greater density of woodlands, plantations and copses throughout the landscape type, and an irregular field pattern which has been largely dictated by the woodlands and as a result there are fewer hedgerows in order to create larger fields to cultivate. The area of R3a immediately to the north of the site is a good example of this where woodland belts and a vegetated brook provide tree cover that compartmentalise the horizontal landscape and shorten views.

- 3.15. The areas of R2a (rolling arable landscape with weak field pattern and isolated trees) that lie to the east and west of R3a are more open with limited vegetation structure and some very large arable fields (notably to the east of Bucknell). This more open landscape is often more susceptible to development as there are a few natural features to mitigate views.

Landscape Value and Sensitivity

- 3.16. The Guidelines for Landscape and Visual Impact Assessment (GLVIA) Third Edition places weight on understanding the value of the landscape as an integral element in the assessment of landscape sensitivity. The relative value is one that is attached to a certain area by society, and through landscape designations at a community, local, or national level. The NPPF is clear that a hierarchy exists with designations in paragraph 113 that states that ***“distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks”***.
- 3.17. The overall sensitivity of the landscape is derived from a combination of the value of the landscape and the susceptibility of that landscape to a specific type of development. There are no landscape designations of

national or regional importance in the vicinity of the appeal site or the study area. The Conservation Area and listed buildings forms part of the historic environment which is dealt with in evidence by Mr Brown.

- 3.18. The Local Authority have produced their own Landscape Sensitivity and Capacity Assessment for the district produced by the Halcrow Group Ltd to inform decisions about housing requirements in the district. This report states in the introduction that its findings are founded on professional judgement although no reference to professional bodies or specific qualifications of the author are acknowledged within the document. Its methodology is explained and broadly follows national guidance for Landscape Character Assessment. The report assigns values for landscape sensitivity and visual sensitivity combined to determine overall sensitivity and landscape value to conclude on the capacity to accept development.
- 3.19. The appeal site lies within the study area K, which has been assessed as having a low value as the *“site lacks tranquillity due to traffic on the ring road and its scenic value is ordinary”*. The landscape sensitivity of the site has been judged to be moderate as it *“forms part of the setting of the Conservation Area and divides the hamlet of Caversfield from the modern housing estate east of Fringford Road”*. The capacity conclusion suggests that there is a moderate capacity to accommodate residential development in the southern parts of Site K.
- 3.20. The landscape is mainly structured on a large scale arable farmland, maintained hedgerows and strong belts of trees and woodland. The LCT within which the appeal site lies at its southern point, there is the obvious presence of woodland belts, namely to the west enclosing Caversfield House and to the northeast along Fringford Road (see Figure 2 in **Appendix KC5**). Further to the north lie woodland blocks of Bainton Copse and Cotmore Covert which limit views and link with a good network of hedges throughout this area of R3a.

- 3.21. This well wooded character around the site tends to reduce the sensitivity to residential development, which is also suggested in the Cherwell LCA 'Repair Landscape' strategy given their existing [landscape] structure is so strong and therefore should be able to absorb limited areas of sensitive development (refer **Appendix KC3**). The site encompasses South Lodge and large scale outbuildings that form a cluster of development on the appeal site, and which can be seen from the immediate north along footpath 153/1. Beyond this, the vegetation does restrict views of the site, and therefore its susceptibility to residential development is reduced. The historic parkland associated with Caversfield House is also evident within the landscape type, although the private house is heavily screened and displays characteristics of a safeguarded asset which is protected from external change. The Church at Caversfield House is an important listed feature although it is also protected by the mature trees that surround it. Overall the susceptibility of the landscape surrounding the appeal site to be affected through the introduction of residential development is low to medium.
- 3.22. The landscape value is derived from the relative value attached to it by society, and should also consider existing landscape designations. The landscape setting is heavily influenced by its urban transition character, the ring road, and large scale arable landscape beyond the development edge. Aside from the private setting of Caversfield House, the scenic value is not rare or of particular quality in terms of landscape features or recreation/ conservation value. There is no public access other than along roads, although a single public right of way lies to the north of the site. This is a clear indication that the landscape around the appeal site and the area to the south is generally of low value, compared with other areas that maybe better served by the provision of recreational facilities. I acknowledge that there is accessible countryside close to the existing urban edge of Bicester, however the criteria based

assessment required in GLVIA3 should take account of all factors considered important to identify the value of an area.

Overall Landscape Sensitivity

- 3.23. The LVA makes an assessment on the landscape sensitivity as one where its ability to absorb the potential development through the existing landscape structure and proximity to the adjacent settlement edge combine for a low/medium sensitivity to change. I consider this to be a fair conclusion given the findings within the Cherwell Landscape Sensitivity and Capacity Assessment and the relatively low value of the landscape setting. There are isolated elements within the surrounding setting that have landscape features of importance, but generally the landscape is unremarkable. The Cherwell LCA suggests that “strengthening or replacement of traditional landscape features and screening or integration of intrusive features” are necessary.
- 3.24. To conclude, it is apparent that the landscape in which the appeal site is located comprises a variety of character elements that make up this transition area. The value of the landscape is reduced, given its proximity to the urban influence of Bicester and the limited number of public footpaths and vantage points. Figure 2 in **Appendix KC5** illustrates the appeal site and its immediate setting, where views are limited to locations where glimpses toward the site are available. The susceptibility to change from residential development is low to medium due to the strong landscape structure and its effectiveness to screen in this flat topography. This follows the recommendations in Cherwell’s LCA that the landscape type R3a (large scale arable farmland enclosed by woodlands) should be able to absorb limited areas of sensitive development because their existing structure is so strong.
- 3.25. The landscape character sensitivity is considered low/medium within areas of R3a in the vicinity of the appeal site. The size and scale of the

development is appropriate to the landscape character where large field patterns and strong landscape structure are conducive with absorbing some levels of development. Furthermore, the appearance of the appeal site is developed in part through its equestrian use; the large scale buildings are prominent within the site and access tracks lead from the south and eastern boundaries across the pasture land. The magnitude of change to this landscape character will be medium as the site has some capacity to accommodate a sensitively designed residential development. There will be a localised change in character through this development, to a minor/moderate threshold, which is not significant, and is limited to only the immediate area around the site. The contained nature of the site, and the mitigation planting that will reinforce the landscape boundaries will limit the immediate harm that will be caused to the character and appearance of the area.

- 3.26. Therefore, I do not consider that the effect on landscape character is significantly adverse to demonstrably outweigh the benefits of granting planning permission.

4. ASSESSMENT OF VISUAL EFFECTS

4.1. A full Landscape and Visual Appraisal was carried out by Define Consultants in July 2013 for the appellants, although this was not submitted with the application. This contained a visual assessment from a number of viewpoints, informed by a ZTV for development at 8.5m high. The Council in their decision state that the proposal will be of detriment to the visual amenities of the area, and harmful to the setting and identity of Caversfield. As the landscape character and the visual environment are so intrinsically linked, I have carried out my own assessment of the local area and have included additional viewpoints to supplement the assessment of views within the LVA, and to demonstrate the visual effects on local receptors. I generally agree with the findings within the LVA, however there are inevitable minor differences in professional judgement which will not alter the main conclusions.

4.2. The LVA viewpoints compose of twelve original viewpoints within the study area from locations generated by the ZTV. I consider that the selected viewpoints are generally representative of the visual envelope from the immediate and wider landscape. I have selected viewpoints within the more localised setting to determine the full extent of “local” impact particularly within and across the Council’s emerging Green Buffer policy, and two from the west in the context of the proposed Eco Town. As such, I have included additional viewpoints KC1-8 in **Appendix KC6** to further assist in illustrating the landscape setting and visual environment.

Sensitivity of Visual Receptors

4.3. The guidelines for predicting visual effects define sensitivity as being a combination of the susceptibility to change in views of a particular development (in this case residential), and the value attached to those

views. Susceptibility is mainly a function of the activity of the user experiencing the view (outdoor recreation/ resident etc.) and the extent to which their attention is likely to be focused on the view. The value accounts for the viewer's appreciation of the landscape within the view and any formal status it may have. The methodology within the LVA follows this guidance and has attributed these stages to provide an overall sensitivity of each viewpoint.

Effects on Public Rights of Way

- 4.4. There are relatively few public rights of way within the vicinity of the site, and no long distance routes or National trails within 5km. The PRoW's are illustrated on Figure 4 of **Appendix KC6**. The limited extent of public footpaths is a likely indication of the ordinary and lesser valued landscape immediately to the north of Bicester, and recreational users are more likely to be less sensitive to change and not necessarily dependant upon appreciation of the scenic landscape.
- 4.5. Within 2km of the appeal site, footpath 153/1 leads from Fringford Road west for 200m to the north of the site, and then continues northwards to Bainton. Viewpoint 1 in the LVA illustrates the view from this footpath at the closest point, and demonstrates the extent of the site, the location of South Lodge and the associated stables, and the flat open topography of the north Bicester landscape. From this point, the definitive footpath extends northwest shown within the field adjacent to Caversfield House, although in reality the footpath runs behind the hedgerow and prevents views towards the site for approximately ½ km. Viewpoint 3 in the LVA illustrates the view at the northern end of the hedgerow at a field gate, with the appeal site in the distance beyond pastoral fields discernable by glimpses of South Lodge and the conifers within its grounds. This view particularly demonstrates the effect of woodland belts to screen development within the flat landscape as both Caversfield House and the edge of Bicester are not apparent.

- 4.6. Footpath 148/7 lies to the northwest of the site and extends from the B4100 west across large arable fields to the village of Bucknell, linking with two other short footpaths that run south to Bucknell Road. Viewpoint 4 is included in the LVA, and I have added two additional photographs to illustrate the visual amenity of the users of these footpaths (KC VP7 and VP8). What is apparent from these views to the west is the open arable landscape with weak field pattern and isolated trees which is described in the Cherwell Landscape Assessment for the landscape type in the area to the west of the appeal site. This is also the land which has planning permission for Phase 1 of the NW Bicester Eco Town, and further development phases in the future.
- 4.7. The LVA included two further views from the wider countryside that were identified by the ZTV, Viewpoint 5 at 2km from the site, and Viewpoint 6 at 3.5km. Given the nature of the development, and the premise for the reason for refusal, I don't consider that effects on these viewpoints from comparable visual receptors are necessary to assess.
- 4.8. In terms of susceptibility to change for the recreational users of these routes, there is clearly only a limited number of public rights of way within this part of north Bicester. The landscape through which they pass is unremarkable and ordinary, except for small pockets of landscape with features of value such as Caversfield House and the parish church, and the woodland blocks to the north. I am of the opinion that users of these routes would fall into the category of moderate susceptibility. The value of the landscape is not enforced by long distance routes passing through it or notable recreational facilities to indicate the value, and is not designated within planning policy for its landscape quality.
- 4.9. The Landscape Sensitivity and Capacity Assessment carried out by Cherwell Council analyses the value and sensitivity of the appeal site as

Site K, with some sites of high cultural heritage value, but otherwise it *“lacks tranquillity... and its scenic value is ordinary”*. The footpath to the northwest falls beyond the extent of this study, although the value of the landscape it passes through is not dissimilar to that of the Eco Town site which is also considered ordinary. In summary, the value attached to views from these limited PRow's is medium as receptors along footpaths would generally be there for the enjoyment of the open countryside, notwithstanding the lower value indicators.

- 4.10. The visual sensitivity is judged to be medium in terms of the receptors on public rights of way. Viewpoints 1 and 3 of the LVA lie to the northern fringes of Caversfield where views towards the site are available, with the appearance of built form currently evident from the South Lodge cluster, and the large scale open arable landscape. The LVA provides mitigation recommendations to reduce visual impact but does not conclude on the significance of visual effects from the PRow's. The proposals would change the nature of the site through the loss of the existing pasture and paddocks that make up the site. The development would be visible from Viewpoint 1 and to a lesser extent Viewpoint 3, seen in the same field of view as South Lodge and outbuildings, but consolidating the appearance of built development. The magnitude of this change I consider to be medium (change resulting in a moderate degree of deterioration or improvement, or constitutes a noticeable change within a landscape or view), and the overall effect will be moderate/ minor but not significant.
- 4.11. The LVA mitigation allows for the provision of 'estate' tree planting along the north-eastern boundary, along with the retention of the existing tree belt that partly encloses the site. This vegetation will establish to soften the appearance of development from the countryside where only a very limited extent of receptors will be affected.

- 4.12. From footpath 148/7, the distance to the site and the layers of field boundary hedgerows will largely mitigate the effects of the development. I consider that the magnitude of change on these views of the rural open landscape will be low and the overall effect will be minor but not significant.
- 4.13. In conclusion I have identified that there would be a moderate/ minor to minor adverse effect on visual receptors using PRow's in the local area. These are few and far between, and locations from which the proposals will be seen are further limited by vegetation within the flat topography of the area. Similarly the effect of the mitigation planting and green infrastructure to be introduced with the development will assist in integrating the development into the landscape.

Effects on Views from Settlements

- 4.14. Historic Caversfield is a hamlet made up of Caversfield House, the listed parish church of Saint Lawrence, and Home Farm clustered around the B4100 (refer to Figure 2 of the LVA). To the east of Fringford Road lies an urban extension to Bicester, a post-war housing estate that has expanded from the development associated with RAF Bicester along Skimmingdish Lane in the eastern part of Caversfield parish. The RAF Bicester Conservation Area lies to the east of Fringford Road at its closest point, forming an arm to the main designated area of the Airfield to include the properties either side of Skimmingdish Lane (see **Appendix KC5**). This section of the Conservation Area includes the historic RAF personnel living quarters, the majority of which are listed and part of which is currently being redeveloped as the Garden Quarter. On the western side of Fringford Road outside the Conservation Area lie four detached dwellings that back directly onto the appeal site, one of which is the Old Vicarage on the corner with the unnamed road.

Visual effects on historic Caversfield

- 4.15. Viewpoints 8 and 10 within the LVA are both located along the B4100 Aynho Road, Viewpoint 8 alongside Home Farm and Viewpoint 10 adjacent to Caversfield House. In addition, I have included photograph KC VP5 located between these points to further illustrate the approach along this road corridor through Caversfield travelling south to Bicester. Both Viewpoint 10 and KC VP5 are illustrating the parkland setting of Caversfield House to the northeast of the road, with mature woodland, stone walls, and piers that highlight the entrance to the estate. Home farm is apparent in views from the B4100 to the west, just out of the field of view in KC VP5. The unnamed road along which the appeal site is located is marked by the traffic signs and veers left (east) from the main route. Viewpoint 8 provides a clearer view of the appeal site due to the absence of a short section of hedgerow. For users of the road this view will be momentary, but does provide a glimpsed view of the South Lodge stables and the Old Vicarage, with the appeal site located beyond two hedgerows that flank the unnamed road.
- 4.16. Aside from the views whilst travelling along the B4100 road corridor, there are no other public viewpoints from historic Caversfield that would be affected by the development of the appeal site. Residential amenity of the private dwellings within Caversfield are not the subject of this Inquiry, and due to the heavily enclosed nature of Caversfield House, and the severance of the B4100 to Home Farm, this is not considered of significance, and therefore I have not taken these into account.
- 4.17. The first reason for refusal in the Councils decision is concerned with the *“incongruous, prominent, urbanising and discordance built form into this rural setting to the detriment of the visual amenities of the area”*. The GLVIA guidance outlines the considerations for predicting and describing visual effects, including, amongst other things, whether the view is stationary or transient (i.e. from a moving vehicle) and whether

the focus of the viewer is on the development due to its scale and proximity or only a small, minor element in a panoramic view. Generally visual receptors within vehicles moving along a route are observing features as they travel, and therefore I consider the susceptibility to change on these receptors passing through Caversfield to be medium. The pedestrian use along this route is likely to be very limited as there are no footways available. The value attached to these views is medium as there are landscape features associated with Caversfield House, and the open views across fields away from the hamlet characterise the settlement. The visual sensitivity of receptors from historic Caversfield is limited to views from the B4100 and therefore will fall into the category of medium sensitivity.

- 4.18. Through the development of the site, I consider that the magnitude of change on these sequential views through Caversfield will be low and the overall significance of effect will be minor. I do not consider that the proposed development on the appeal site would be incongruous or urbanising to the rural setting of historic Caversfield or its visual amenities as demonstrated.

Visual effects from Bicester

- 4.19. The LVA provided Viewpoints 7 and 9 along Fringford Road to illustrate the nature of the approach to/from Bicester. These photographs show the effect of vegetation to screen or shorten views, where viewpoint 7 relies on a well maintained hedgerow to allow views towards the appeal site, and viewpoint 9 is enclosed by dense vegetation. I have introduced photograph KC VP6 as a representative view from the edge of Bicester along the A4095 ring road which includes the paraphernalia associated with the main link road. Behind the viewer is the Bure Park residential development which forms the urban edge at this point. This significant development has been extensively planted to the boundaries in order to try to soften its appearance, which has been relatively successful.

Travelling east from this viewpoint along the ring road there are hedgerows along verges that successfully screen views toward the site.

- 4.20. The extent of the visual receptors on the edge of Bicester is mainly limited to the users of the ring road due to the heavily enclosed character of the residential areas. The visual setting of the edge of Bicester is characterised by the road infrastructure, the vegetation structure, and the occasional views away from the urban edge into the countryside. Referring back to the Landscape Sensitivity and Capacity study, this part of Bicester *“lacks tranquillity due to traffic on the ring road, and its scenic value is ordinary”*. The susceptibility and value of the view in KC VP6 I consider to be low, as the main focus of the viewer is the direction of travel along the road corridor, and only glimpsed views are available of the landscape beyond. The visual sensitivity will be low, and through the development of the site, the visibility of the housing will be limited and largely softened by intervening hedgerows. The overall effect on this view is of minor/negligible significance as the magnitude of change is only a minor component within the view. I do not consider views from Bicester urban edge to be visually harmed by the proposals.

Visual effects from RAF Bicester Conservation Area

- 4.21. Photographs KC VP1-3 have been included to assess the effects that the development may have on views from within or immediately adjacent to the Conservation Area. The effects on the cultural heritage assets in terms of the NPPF requirements are dealt with by Mr Brown in his evidence, although it forms part of the visual baseline assessment as set out in LVIA guidance. KC VP1 is taken from Skimmingdish Lane within the Conservation Area and approaching the site from the east. One of the Listed residents quarters is visible to the right of the view, with the appeal site to the end of the road. The entrance gate to South Lodge and the stone wall are visible, with the backdrop of woodland associated with Caversfield House. KC VP3 illustrates the views from

the junction of Skimmingdish Lane with Fringford Road, and the appeal site and South Lodge visible to the northwest aspect.

- 4.22. In the context of the Conservation Area, there are obvious built elements along this part of Fringford Road which create a more urbanised character within a mature tree structure. To the south of the Skimmingdish Lane junction the landscape opens out until the edge of Bicester at the ring road, providing a visual break in the urban character. Looking north towards the site, KC VP2 illustrates the Old Vicarage on the corner plot, and the vegetation associated with the appeal site to the left, similar to Viewpoint 7 in the LVA. To the north of the appeal site the modern housing estate has a notable influence on the character through its scale and appearance to the east of Fringford Road (see KC VP4).
- 4.23. The susceptibility of these viewpoints to the edge of the Conservation Area is increased to some extent due to the presence of the heritage asset, although evidence provided by Mr Brown suggests that the important characteristics of the Conservation Area are the varied designs of the houses and the visual links to and from the main domestic and technical sites. In this case, the presence of the line of properties on Fringford Road and the large dwelling and stable buildings within the site are part of this character, visible from the edge of the Conservation Area and contributing to the visual landscape. I suggest that the susceptibility of views to residential development is medium, and the value attached to the views is also medium, despite the locale of the Conservation Area. The overall visual sensitivity is therefore considered medium.
- 4.24. The proposed development will introduce a new vehicular access to the north of the junction with Skimmingdish Lane, and maintain the existing gated entrance as a right of access to the Gatehouse. The scheme is laid out in such a way that the built development is set back from the Conservation Area by open space associated with the attenuation pond.

The impact on Fringford Road by new residential dwellings will be limited due to the hedgerow along the eastern boundary, and the low density development to the periphery of the site. The magnitude of change in view KC VP3 as the most direct view is medium as there will be a perceptible change to the view, but the proposals do not introduce prominent new components that aren't currently present within the field of view. The overall effect will be moderate/ minor and not significant or harmful to the visual amenities of the area.

- 4.25. The proposed development in view KC VP2 will be more prominent in the field of view where currently the Old Vicarage forms the edge of the settlement. The appearance of the built form will be visible from this particular viewpoint on Fringford Road through the introduction of houses along the southern site edge, and would extend the urban edge along the unnamed road. Viewpoint 7 in the LVA provides a wider panorama of the same view 250m south. The foreground hedge is well maintained and allows the appeal site to be visible on the horizon. In this case, the magnitude of change will result in the introduction of prominent built form within the view, and is therefore considered high. The visual sensitivity along the road is one of medium grade due to the perceived break in built development that is experienced, and therefore the overall effect I consider will be moderate and adverse. I accept that there would be harm to the visual amenities of this view, however, in my opinion, this alone is not sufficient to add significant weight to the planning balance given the minor effects on other visual receptors that would be affected.
- 4.26. In summary, I consider that there will be moderate to minor adverse effects on visual receptors using the PRoW's to the north and west of the appeal site. The housing will be visible from footpath 153/1 replacing South Lodge and outbuildings, and the final judgement is that the demonstrable adverse impacts affect only a small section of the PRoW due to topography and intervening vegetation. Sequential views along

the B4100 road corridor through historic Caversfield will see a minor effect which is not significant. The visual effects on the Conservation Area are limited and I do not consider that the proposed development on the appeal site would be incongruous or urbanising to the visual amenities of Caversfield or the RAF Bicester Conservation Area. The approach north along Fringford Road will change through the development of the appeal site, extending the urban edge to the west and detrimental to the visual amenities of this view. Whilst the magnitude of change will be apparent, the overall visual effect is moderate and the adverse effects are limited to relatively few visual receptors. In visual terms, the adverse effects are such that they would not significantly or demonstrably outweigh the benefits of the proposal.

5. POLICY IMPLICATIONS

Visual Effects on the Green Buffer

- 5.1. The second reason for refusal states that the proposed development would erode an important green buffer gap and would be harmful to the setting and identity of Caversfield itself. The emerging Local Plan contains a restrictive policy (ESD15) where green buffers will be *“kept free from built development to protect the identity of settlements, vulnerable gaps between existing or planned built up limits of Banbury and Bicester and neighbouring villages, and to protect valuable landscape or historic features”*. Whilst this policy is in draft form and should be given limited weight, the delivery of the proposed Eco Town to the west of Caversfield is underway with the Phase One Exemplar development given planning permission and scheduled to commence work on site very shortly.
- 5.2. With this in mind, it is important to consider the appeal scheme in the context of the proposed Eco Town and the masterplan for the Exemplar development. Figure 3 in **Appendix KC7** illustrates the two sites together, and policy area for the overall North West extension.
- 5.3. The Bicester Green Buffer Report (September 2013) produced by LDA Design provides the current thinking behind the emerging policy and identifies Caversfield as one of the eight green buffers that are to be kept free from built development. The principle role of the green buffer policy seems to focus on preventing coalescence, and protecting the setting of the historic assets, neither of which are based on landscape or visual reasoning. However, the report makes reference to views from the northern edge of Bicester into the southern area of the green buffer, and intervisibility between the former DLO Caversfield site and the existing northern edge of Bicester (page 11, paragraph 3).

- 5.4. Referring to my Figure 2 and 3, the development of the appeal site will maintain visual separation between the northern edge of Bicester and the urban extension already developed to the east of Fringford Road. Views into the triangle of land which provides this separation would be unaffected (as demonstrated on KC VP6 in my visual assessment), and views back to Bicester from the Conservation Area will not change. My visual assessment also demonstrates that there will be very limited visual effects from historic Caversfield. Caversfield House is very well enclosed, the setting of is confined to its grounds, and the B4100 passing through it will experience only a minor effect of development in the sequential views.
- 5.5. In my view, the intervisibility protected through the emerging green buffer policy will be maintained by the development of the appeal site.

Cherwell Local Plan

- 5.6. Policy C7 of the Local Plan states that “*development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape*”. There will inevitably be highly localised harm to the character and appearance of the area through the development of the appeal site. The change to the landscape character will be contained by the vegetation structure and topography, and would not have great significance in longer range views. The appeal site is relatively flat, and the retained and reinforced tree and hedgerow planting provided by the mitigation strategy will soften the appearance of the development such that although there is a limited conflict with policy C7, its scope is reduced.
- 5.7. Emerging Policy ESD13 requires development “*to respect and enhance local landscape character*”, and permission would not be granted if development would “*be inconsistent with local character*”. There are no landscape designations of national or regional importance in the vicinity

of the appeal site, and the value of the local landscape character is not rare or of particular quality in terms of landscape features or recreation/conservation value. The NPPF is clear in its advocacy of criteria based policies against which proposals will be judged (paragraph 113), “*so that protection is commensurate with their status and gives appropriate weight to their importance*”. The greatest weight should be given to nationally protected landscapes, but in turn the level of protection should be in proportion with the landscape and its sensitivity to change. Whilst the open character of the site is lost through its development and there would be harm to the character and appearance of the immediate landscape, this is not of sufficient impact to be unacceptable to the wider landscape character through its visual containment and the urban context around it.

- 5.8. The second facet to this policy is that development should avoid “*undue visual intrusion into the open countryside*”. This has been demonstrated through my visual assessment, that whilst there is a moderate adverse effect on one view approaching the site on Fringford Road, the overall visual intrusion is very limited. Therefore, while the development does not fully accord with the Local Plan in terms of Policy ESD13, there would not be sufficient adverse effects that would significantly and demonstrably outweigh the benefits in line with paragraph 14 of the NPPF.

6. SUMMARY & CONCLUSIONS

- 6.1. My name is Kevin Charsley. I hold an Honours Degree and Post Graduate Diploma in Landscape Architecture, and I am a Chartered Member of the Landscape Institute. I am Associate Director of Aspect Landscape Planning Ltd, a practice that provides landscape planning, design services to the private and public sectors.
- 6.2. The proposed residential development is located to the north of Bicester and to the east of the hamlet of historic Caversfield. The existing site is made up of pasture land associated with South Lodge and its riding stables, with a cluster of buildings to the northern boundary accessed from Fringford Road. The site is identified in the Cherwell Character Assessment within the 'large scale arable farmland enclosed by woodlands' landscape type. The dominant surrounding landscape type is 'rolling arable landscape with weak field pattern and isolated trees' which is characteristic of most of north Bicester.
- 6.3. The Oxfordshire Wildlife and Landscape Study more recently reassessed the previous landscape types, identifying the site within the 'Wooded Estatelands'; defined by its frequent parklands and their associated estatelands, woodlands and arable farmland.
- 6.4. The overall sensitivity of the landscape is derived from a combination of the value of the landscape and the susceptibility of that landscape to a specific type of development. There are no landscape designations of national or regional importance in the vicinity of the appeal site or the study area.
- 6.5. This well wooded character around the site tends to reduce the sensitivity to residential development. The site encompasses South Lodge and large scale outbuildings that form a cluster of development on the appeal site, and which can be seen from the immediate north

along footpath 153/1. Beyond this, the vegetation does restrict views of the site, and therefore its susceptibility to residential development is reduced. Overall the susceptibility of the landscape surrounding the appeal site to be affected through the introduction of residential development is low to medium.

- 6.6. The landscape setting is heavily influenced by its urban transition character, the ring road, and large scale arable landscape beyond the development edge. Aside from the private setting of Caversfield House, the scenic value is not rare or of particular quality in terms of landscape features or recreation/ conservation value. There is no public access other than along roads, although a single public right of way lies to the north of the site. This is a clear indication that the landscape around the appeal site and the area to the south is generally of low value, compared with other areas that maybe better served by the provision of recreational facilities.
- 6.7. The landscape character sensitivity is considered low/medium in the vicinity of the appeal site. The size and scale of the development is appropriate to the landscape character where large field patterns and strong landscape structure are conducive with absorbing some levels of development. The magnitude of change to this landscape character will be medium as a result of the proposals. It is considered that the site has some capacity to accommodate a sensitively designed residential development. There will be a localised change in character through this development, to a minor/moderate threshold, which is not significant, and is limited to only the immediate area around the site. The contained nature of the site, and the mitigation planting that will reinforce the landscape boundaries will limit the immediate harm that will be caused to the character and appearance of the area.
- 6.8. The extent of visual receptors that will be affected by the development on the appeal site I consider to be those viewers on public rights of way,

views from settlements including private properties, and the visual setting of RAF Bicester Conservation Area as a heritage asset.

- 6.9. I consider that there will be moderate to minor adverse effects on visual receptors using the PRow's to the north and west of the appeal site. The housing will be visible from footpath 153/1 replacing South Lodge and outbuildings, and the final judgement is that the demonstrable adverse impacts affect only a small section of the PRow due to topography and intervening vegetation. Sequential views along the B4100 road corridor through historic Caversfield will see a minor effect which is not significant.
- 6.10. The visual effects on the RAF Bicester Conservation Area are limited, and I do not consider that the proposed development on the appeal site would be incongruous or urbanising to the visual amenities of Caversfield or the Conservation Area. The approach north along Fringford Road will change through the development of the appeal site, extending the urban edge to the west and detrimental to the visual amenities of this view. Whilst the magnitude of change will be apparent, the overall visual effect is moderate and the adverse effects are limited to relatively few visual receptors.
- 6.11. The second reason for refusal states that the proposed development would erode an important green buffer gap and would be harmful to the setting and identity of Caversfield itself, in conflict with Policy ESD15.
- 6.12. The development of the appeal site will maintain visual separation between the northern edge of Bicester and the urban extension already developed to the east of Fringford Road. Views into the triangle of land which provides this separation would be unaffected, and views back to Bicester from the Conservation Area will not change. My visual assessment also demonstrates that there will be very limited visual effects from historic Caversfield. Caversfield House is very well enclosed, the setting of is confined to its grounds, and the B4100

passing through it will experience only a minor effect of development in the sequential views.

- 6.13. The NPPF is clear in its advocacy of criteria based policies against which proposals will be judged (paragraph 113), “*so that protection is commensurate with their status and gives appropriate weight to their importance*”. The greatest weight should be given to nationally protected landscapes, but in turn the level of protection should be in proportion with the landscape and its sensitivity to change. Whilst the open character of the site is lost through its development and there would be harm to the character and appearance of the immediate landscape, this is not of sufficient impact to be unacceptable to the wider landscape character through its visual containment and the urban context around it.
- 6.14. I have demonstrated through my visual assessment that whilst there is a moderate adverse effect on one view approaching the site on Fringford Road, the overall visual intrusion is very limited. Therefore, whilst the development does not fully accord with Local Plan policy in terms of enhancing local landscape character or avoiding undue visual intrusion, there would not be sufficient adverse effects that would significantly and demonstrably outweigh the benefits in line with paragraph 14 of the NPPF.

landscape planning • ecology • arboriculture

aspect

Aspect Landscape Planning Ltd
West Court
Hardwick Business Park
Noral Way
Banbury
Oxfordshire OX16 2AF

T: 01295 276066
F: 01295 265072
E: info@aspect-landscape.com
W: www.aspect-landscape.com