

**VOLUME 1**



landscape architecture ■ urban design  
expert witness ■ environmental planning

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**PROOF OF EVIDENCE**

of

**DAVID HUSKISSON, Dip LA, CMLI**

relating to

**LANDSCAPE AND VISUAL EFFECTS**

on behalf of

**CHERWELL DISTRICT COUNCIL**

**Planning Appeal by CALA Homes (Midlands) Ltd**

against the decision of Cherwell District Council  
to refuse

Outline planning permission for  
up to 200 residential units, access, amenity space and new village shop / hall  
on

Land at Fringford Road, Caversfield, Bicester, Oxfordshire

**PUBLIC LOCAL INQUIRY**

**Commencing 25<sup>th</sup> March 2014**

**LOCAL AUTHORITY REF: 13/01056/OUT**

**PINS REF: APP/C3105/A/13/2208385**

**Date of Issue: 24/02/2014**  
**Status/Revision:**  
File ref: 689/reports/DHA/689 Final Landscape Proof  
**Checked :approved: DL/DH**

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David Huskisson will say:-

**1 Personal**

- 1.1. I am a Chartered Member of the Landscape Institute in the Institute's Landscape Architectural Division. I was elected to membership in 1975.
- 1.2. I have worked in private practice as a landscape architect since 1972. Since 1987, I have been Principal of my own landscape practice. The practice is registered with the Landscape Institute and has been a member of the Institute of Environmental Management and Assessment since 1992.
- 1.3. I have experience in the assessment of landscape and visual effects on a broad range of projects. These include commercial, mineral, industrial, retail, recreational, healthcare, infrastructure and residential developments for the public and private sectors including the presentation of evidence at Public Inquiries and Local Plan Inquiries. I have also given extensive development control advice to Local Planning Authorities on a wide range of projects.
- 1.4. For many years I have been an examiner and monitor for the Landscape Institute's Professional Practice Examination, now known as the Pathway to Chartership.
- 1.5. The practice is Quality Assured to BS ISO9001:2008.

## 2 The Appeal

- 2.1 I was retained on 17 January 2014 on the instruction of Ms Rebecca Horley, Principal Planning Officer, Public Protection and Development Management, for Cherwell District Council.
- 2.2 My role is to give landscape evidence in relation to the landscape reason for refusal of application ref 13/01056/OUT "for up to 200 residential units, access, amenity space and associated works including a new village shop /hall".
- 2.3 The application was validated by the Council on 11th July 2013. The application was in outline but with access, appearance and layout for determination. I am informed that it was subsequently agreed that only access should be determined.
- 2.4 The officer's report to committee of 3rd October 2013 recommended that permission be refused. The application was duly refused planning permission by the Planning Committee, by decision dated 4th October 2013. The first two reasons for refusal are of relevance to the landscape and visual issues covered in my evidence. They state:

*"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 it 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 discordant 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 and 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."*

*2 Development of this site would erode an important green buffer gap between the planned expansion of Bicester and the village of Caversfield which would be harmful to the setting and identity of Caversfield itself and also that of the setting of the RAF Bicester Conservation Area as it would fail to preserve or enhance its setting contrary to Policies ESD15 and ESD16 of the Proposed Submission Local Plan Incorporating Changes March 2013 and Government guidance in the National Planning Policy Framework.*

- 2.5 As set out in the Council's Statement of Case, the Council have decided not to rely on Policy C30 of the Adopted Cherwell Local Plan (ACLP) referenced in reason for refusal 1.
- 2.6 Subject to this amendment, my evidence is that reasons for refusal 1 and 2 are justified in landscape and visual terms.

### **3 Scope of evidence and background**

3.1 My evidence focuses on the landscape and visual impact of the proposal, and the role the site plays in providing an important part of the countryside setting to Caversfield and Bicester.

3.2 I have reviewed the scope and content of the planning application in relation to my area of evidence and comment on this where necessary.

3.3 Issues relating to the planning impacts of the proposal are addressed separately in the evidence and appendices of Ms Rebecca Horley.

3.4 In addition to the documents associated with the application, the following are my other primary references:

- National Planning Policy Framework (NPPF), March 2012
- The Countryside Character Volume 7, South East and London, originally published by the Countryside Agency 1999, updated in March 2013;
- Cherwell District Council (CDC) Cherwell Local Plan (Adopted 1996);
- Submission Cherwell Local Plan 2006 - 2031 (October 2013)
- Oxfordshire Wildlife and Landscape Study (OWLS), 2004
- CDC Landscape Character Assessment 1995;
- Countryside Design Summary Supplementary Planning Guidance (June 1998)
- Case officer's report to committee 3rd October 2013;
- The Design and Access Statement which supported the application;
- The Landscape Visual Appraisal (LVA) submitted in support of the application by Define;
- Bicester Green Buffer Report, Final Report, September 2013, by LDA Design;
- Historic Ordnance Survey and Google Earth aerial mapping;

and

- Guidelines for Landscape and Visual Impact Assessment, (GLVIA3) published in April 2013 by the Landscape Institute and the Institute of Environmental Management and Assessment. Definitions I have used are those given in GLVIA3.
- 3.5 The landscape and visual appraisal I have undertaken in connection with this proof has involved both desk and site-based work. Site visits were carried out on 21<sup>st</sup> and 23<sup>rd</sup> January 2014.
- 3.6 The site's location is shown on **DH1**.
- 3.7 My evidence is set out to cover the following main issues:
- Landscape planning policies;
  - Location and local context;
  - Landscape character;
  - The proposals and design issues;
  - Landscape and Visual Assessment;
  - Summary and Conclusion.
- 3.8 I shall explain below why I consider that the proposal would be harmful to the inherent landscape character of this part of the countryside, to the setting of Caversfield and the RAF Bicester conservation area and to local views and visual amenity. It would also visually merge with Bicester and its proposed expansion.

## 4 Landscape planning policies

### National Planning Policy Framework

- 4.1 In March 2012 the Government published the National Planning Policy Framework (NPPF) which sets out its national planning policy for England, replacing many long standing Planning Policy Guidance Notes and Planning Policy Statements. Its overall thrust is to promote sustainable development.
- 4.2 The NPPF states that there are three dimensions to sustainable development: "*economic, social and environmental*". These dimensions give rise to the need for the planning system to perform a number of roles. The environmental role is stated as "*contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy*" (paragraph 7). Paragraph 8 makes it clear that "*these roles should not be undertaken in isolation, because they are mutually dependant*".
- 4.3 The NPPF is intended to be a "*material consideration in planning applications*". It states that there should be a general "*presumption in favour of sustainable development*". For decision-taking, this means approving development proposals that accord with the development plan without delay, unless material considerations indicate otherwise. Where relevant policies of the development plan are out of date, permission should be granted unless, among other things, specific policies in the NPPF, such as policies relating to valued landscape, indicate development should be restricted (paragraph 14 and footnote 9).
- 4.4 The NPPF sets out 12 core principles that should underpin both plan-making and decision-taking (paragraph 17). Amongst these, the following are relevant to the landscape and visual assessment:
- *always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings....;*
  - *take account of the different roles and characters of different areas, ..... recognising the intrinsic character and beauty of the countryside.....;*
  - *contribute to conserving and enhancing the natural environment;*
- 4.5 In section 7 the NPPF deals with good design. Paragraph 58 notes that development should:
- *function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*



- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *... create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments)...;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *be visually attractive as a result of good architecture and appropriate landscaping;*

4.6 Paragraph 60 notes that it is proper "to seek to promote or reinforce local distinctiveness".

4.7 Paragraph 64 states 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."

4.8 In section 11, the NPPF deals with conserving and enhancing the natural environment, noting at paragraph 109 that the planning system should contribute to, and enhance, the natural and local environment by "protecting and enhancing valued landscapes".

4.9 Paragraph 111 notes that "decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value".

4.10 Paragraph 113 requires 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...".

4.11 Under Annex 1: Implementation, paragraph 215 of the NPPF requires "due weight should be given to relevant policies in existing plans according to their consistency with this framework."

Adopted Cherwell Local Plan November 1996

4.12 The Cherwell Local Plan was adopted in November 1996. A number of policies from ACLP have been saved and remain current policy until they are replaced by the emerging Local Plan 2006 – 2031.

4.13 Policy C7 of the ACLP which is referred to in the reason for refusal 1 addresses Landscape Conservation. It states that:

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

4.14 The text following the policy notes at paragraph 9.11 that:

*"the present character and appearance of the countryside has evolved over many hundreds of years. Despite changes caused by modern farming techniques, this appearance is still greatly valued. If this character is to be retained and enhanced it will be necessary to ensure that tight control is exercised over all development proposals in the countryside....." It notes that the "Council will require development to take account of changes in level or slope, not protrude above prominent ridges or skylines, not detract from important views and not expand out of any valley or depression which confines present development."*

4.15 Continuing the theme of Landscape Conservation, Policy C8 of the ACLP is also referenced in reason for refusal 1. It states that:

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

4.16 In terms of Design Considerations, Policy C28 of the ACLP was also referenced in the reason for refusal 1 but is no longer being relied upon. However, Policy C30 is still considered to be relevant. Its first limb states that:

*"Design control will be exercised to ensure:*

*(i) That new housing development is compatible with the appearance, character layout, scale and density of existing dwellings in the vicinity;"*

Submission Cherwell Local Plan 2006 - 2031 (October 2013)

4.17 The Submission Cherwell Local Plan (SCLP) represents the emerging Local Plan which has completed the public consultation stage and has been approved by the CDC Executive and Full Council in October 2013. It is a material consideration in determining planning applications. It was submitted for examination on 31 January 2014. The plan sets out the Council's strategy for the District to 2031.

4.18 Policy ESD13 of the SCLP relates to local landscape protection and enhancement and is quoted in the reason for refusal 1.

4.19 At the time of determining the planning application for the site, an earlier version of the draft Local Plan was in place (The Proposed Submission Cherwell Local Plan Incorporating Changes March 2013) and policies from this version are quoted in the reasons for refusal. The subsequent SCLP incorporates additional wording which is underlined in the policy text below.

4.20 Policy ESD13 states that:

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

4.21 Policy ESD15 of the SCLP relates to Green Boundaries to Growth and is quoted in reasons for refusal 1 and 2. It states:

*Proposals for development on the edge of the built up area must be carefully designed and landscaped to soften the built edge of development and assimilate it into the landscape by providing green infrastructure that will positively contribute to the rural setting of the town. Existing important views of designated or attractive landscape features will need to be taken into account. Proposals will also be considered against the requirements of Policy ESD13: Local Landscape Protection and Enhancement.*

4.22 Policy ESD16 of the SCLP relates to The Character of the Built and Historic Environment and is quoted in the reason for refusal 2. It states:

*Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to 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:*

- *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*
- *Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions*
- *Support the efficient use of land and infrastructure, through appropriate land uses, mix and density / development intensity*
- *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*
- *Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF. Proposals for development that affect non designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged*
- *Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.*
- *Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages*
- *Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette*
- *Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features*
- *Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed*
- *Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space*
- *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*

- *Be compatible with up to date urban design principles, including Secured by Design and Building for Life, and achieve Secured by Design accreditation*
- *Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout*
- *Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)*
- *Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 18 Green Infrastructure ). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality*
- *Use locally sourced sustainable materials where possible.*

*The Council will provide more detailed design and historic environment policies in the Development Management DPD.*

*The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. CLG Circular 01/06 sets out the matters to be covered and further guidance can be found on the Council's website.*

*The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.*

4.23 Policy ESD18 of the SCLP relates to Green Infrastructure and is quoted in the reason for refusal 1. It states:

*The district's green infrastructure network will be maintained and enhanced through the following measures:*

- *Pursuing opportunities for joint working to maintain and improve the green infrastructure network, whilst protecting sites of importance for nature conservation*
- *Protecting and enhancing existing sites and features forming part of the green infrastructure network and improving sustainable connectivity*

- between sites in accordance with policies on supporting a modal shift in transport (Policy SLE 4: Improved Transport and Connections), open space, sport and recreation (Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision), adapting to climate change (Policy ESD1: Mitigating and Adapting to Climate Change), SuDS (Policy ESD 7: Page 130 Sustainable Drainage Systems (SuDS)), biodiversity and the natural environment (Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment), Conservation Target Areas (Policy ESD 11: Conservation Target Areas), heritage assets (Policy ESD 16) and the Oxford Canal (Policy ESD 17)*
- *Ensuring that green infrastructure network considerations are integral to the planning of new development. Proposals should maximise the opportunity to maintain and extend green infrastructure links to form a multi-functional network of open space, providing opportunities for walking and cycling, and connecting the towns to the urban fringe and the wider countryside beyond*
  - *All strategic development sites (Section C: 'Policies for Cherwell's Places') will be required to incorporate green infrastructure provision and proposals should include details for future management and maintenance.*

#### Countryside Design Summary Supplementary Planning Guidance (June 1998)

- 4.24 The Countryside Design Summary is Supplementary Planning Guidance (SPG) which supports the Local Plan. The purpose of this SPG is to guide development in the rural areas so that the distinctive character of the district's countryside and the settlements and buildings within it are maintained and enhanced. This is considered further in the landscape character section of my proof.

## 5 Landscape Character

5.1 Landscape Character is defined in the Guidance for Landscape and Visual Impact Assessment 3<sup>rd</sup> Edition (GLVIA3) as:

*“A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse.”*

5.2 I set out below the general hierarchy of the Landscape Character studies relevant to the appeal site and its location. Extracts are contained in **Appendix 2**.

### Regional Countryside Character Area

5.3 Natural England are currently revising profiles for England's 159 National Character Areas (NCAs) formerly known as Joint Character Areas (JCAs), as originally assessed by the former Countryside Agency. These are areas that share similar landscape characteristics, and which follow natural lines in the landscape rather than administrative boundaries, making them a good decision-making framework for the natural environment.

5.4 The site can be considered to lie just within the Joint Character Area 108, Upper Thames Clay Vales, just outside the north eastern edge of NCA 107, 'Cotswolds'. Natural England published an updated profile for this last area in March 2013 but the profile of JCA 108 has yet to be updated.

5.5 Some of the key characteristics identified for both character areas can be discerned in the vicinity of the site. For JCA 108 these include:

- *Broad belt of open gently undulating lowland farmland...*
- *The vales in Oxfordshire are dominated by 18th century enclosed landscapes of small woods and hawthorn /blackthorn hedges.*

5.6 For JCA 107 these include:

- *The limestone geology has formed the scarp and dip slope of the landscape, which in turn has influenced drainage, soils, vegetation, land use and settlement.*
- *Locally quarried limestone brings a harmony to the built environment of scattered villages and drystone walls, giving the area a strong sense of unity for which the Cotswolds are renowned.*

### County-wide Landscape Character

5.7 Oxfordshire County Council undertook a landscape assessment and biodiversity appraisal of the county, the Oxfordshire Wildlife and Landscape Study (OWLS), which was completed in 2004. The applicant's LVA made no mention of this assessment.

5.8 OWLS relates to the National Character Areas, but in order to place them into an Oxfordshire context, the NCAs were slightly re-defined as 'Regional Character Areas'. OWLS identifies the site as falling within the 'Cotswolds' Oxfordshire Regional Character Area.

5.9 OWLS identifies and maps 24 separate landscape types within the county, made up of individual landscape description units with a similar pattern of geology, topography, land use and settlements. The site falls within the Area 19 'Wooded Estatelands' landscape type and in the Middleton Stoney Local Landscape Character Area. A full description of this landscape type is best viewed online.

5.10 Key characteristics of Wooded Estatelands are identified as:

- *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.*

5.11 Forces for Change are identified as:

- *Overall, the hedges are in good condition but intensive agriculture has led to the fragmentation of field boundaries, particularly in areas dominated by arable farming. In such areas the hedges are very intensively maintained, fragmented, and in places removed altogether and replaced by fences.*
- *The vernacular character is strong in most of the villages and there is generally a low impact from residential development, especially within the wider countryside. However, in some villages new residential development is out of character, even though it is contained within the village envelope. There is also sprawling development along some of the main roads, particularly the A420 and A338, although this is mitigated to some extent by woodland and mature garden trees.*

5.12 The Landscape Strategy for the landscape type is to:

- *Safeguard and enhance the characteristic landscape of parklands, estates, woodlands, hedgerows and unspoilt villages."*

5.13 The guidelines for achieving this include:

- *Maintain the nucleated pattern of settlements and promote the use of building materials and a scale of development and that is appropriate to this landscape type.*



5.14 The appeal site lies in the Middleton Stoney local Character Area (NU9) of the OWLS assessment, with the landscape character described as follows:

- *The area is dominated by large arable fields and localised improved grassland. There are smaller grass fields around villages... Woodland is a strong landscape element, and large woodland blocks are associated with the parklands and estates.... 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... Hedgerows vary from tall, thick species-rich hedges ... to low, gappy internal field hedges.*

#### Cherwell District Landscape Assessment

5.15 In addition to the relatively recent Oxfordshire study referenced above, Cobham Resource Consultants carried out an earlier district-wide landscape assessment for Cherwell District Council which is reported in the Cherwell District Landscape Assessment (November 1995). This divides the district into eight different landscape character areas which are further divided into a series of generic landscape types. The appeal site lies within the 'Oxfordshire Estate Farmlands' landscape character area and is shown to lie at the edge of landscape type R3a – '*Large Scale Arable Farmland enclosed by woodland belts*'. Here the landscape is structured on a large scale by woodland belts and the fields tend to be large and open without any boundary.

5.16 The applicant's LVA does not record that the appeal site lies in landscape type R3a, which is set between areas of Landscape type R2a '*Rolling arable landscape with strong field pattern and isolated trees*' to north and south (Figure 6 Landscape Types), but seems to suggest that it lies in R2a (LVA Paragraph 4.2.3).

5.17 With regard to the Oxfordshire Estate Farmlands character area, the most notable feature is considered to be the "*eighteenth century parklands*".

5.18 The report identifies four enhancement strategies for the landscape of the district: Conservation, Repair, Restoration and Reconstruction. These strategies indicate the scope for restoring or creating new landscapes, as well as showing where there is less need for extensive intervention. The appeal site lies in an area identified for Repair (Figure 15 Enhancement Strategy), this being the second highest ranking considered in the assessment. Repair Landscapes are described as:

- *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....”*

5.19 With regard to Repair Landscapes, it is stated that:

- *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. Specific enhancement measures should take into account the following: -*
  - *Good management of hedgerows...*
  - *Development should be permitted only if the scale, size, materials, and character of the scheme are designed so as to blend in to the area with sensitive siting.... Care needs to be taken, however, that the characteristic spatial structure of villages is not too greatly changed.*
  - *Care should also be taken with any road improvement schemes that the character of the rural road network does not become urbanised through the use of standard urban kerbs.....”*

5.20 The Countryside Design Summary (June 1998) is Supplementary Planning Guidance, prepared by Cherwell District Council to guide development in rural areas so that the distinctive character of the district's countryside and the settlements and buildings within it are maintained and enhanced. The applicant's LVA made no mention of this document. The Appeal Site falls in the Ploughley Limestone Plateau character area which in the vicinity of the appeal site correlates with both the Middleton Stoney and the Oxfordshire Estate Farmlands character areas referenced above. At paragraph 2.1, the landscape character of the Ploughley Limestone Plateau is described, including the following:

*(ii) Extensive remains of 19th century parkland and estate farmland characterise the area....*

*(iii) Woodland cover is comparatively extensive in some parts of this area, either as long plantation belts bordering streams or roads adjacent to arable farmland, or in association with historic parkland.*

*(vi) Views are often broken by woodlands... However, in places, gentle rises in the arable landscape can afford views for a couple of kilometres.*

5.21 Under the Landscape sub-heading, the 'Implications for New Development' are said to be that:

*(i) Development should avoid exposed and prominent locations. The protection given by a valley location, existing buildings or woodland, should be used where this does not undermine the character of these existing landscape features.*

*(ii) Development in historic parklands or within their setting must maintain or enhance the specific character, which defines this part of the District.*

5.22 Paragraph 3.2 sets out 'Implications for New Development' under the 'Settlement' sub-heading and includes:

*(i) New development should reinforce the existing street pattern, which creates the basic village form. In linear villages, development should strengthen the dominant street scene and limit backland development. In villages with a semi-dispersed character, the creation of a more compact form through infilling may not be appropriate.*

*(ii) New development proposals should reflect the character found in the immediate locality in terms of the relationship between buildings, open space and roads.*

*(iii) In most locations it would be appropriate for small-scale development to be interspersed with public open space and woodland planting to integrate it into the landscape.*

5.23 The raft of assessments and guidance noted above provide a fair overall summary of the wider landscape within which the appeal site sits: a large swathe of generally attractive open and gently undulating arable countryside characterised by estate parklands and woodland belts. They indicate that the existing rural setting, historic parkland and spatial structure of villages are sensitive to the adverse effects of inappropriate development such as are considered to arise from the appeal proposal. However, whilst they indicate that the appeal site lies in an area recognised as being generally attractive countryside that has already suffered some minor decline, none wholly captures the intrinsic character of the appeal site because of the substantial size of the variously defined local character areas. This is described in more detail in the next section of my proof.

## **6 Location, local context and landscape baseline**

- 6.1 Having set out the wider landscape character background, I now consider the appeal site in more detail. The location, setting and context of the site is shown on **DH1**. **DH2** shows an aerial view and the photograph locations, these being reproduced on Photosheets 1 - 3.
- 6.2 The appeal site is located in the countryside on the western edge of the village of Caversfield, west of Fringford Road. This road essentially marks the village edge.
- 6.3 The site is rectangular on plan and extends to about 7 ha. It is occupied by a small farmstead set roughly midway along its northern side. This is flanked by stables and an indoor riding school and areas of hardstanding. The holding has been used as riding stables for many years and is divided into a series of paddocks, mainly to the south and west of the farmstead.
- 6.4 The site's eastern boundary has a partial frontage onto Fringford Road over a length of about 110m at its northern end. The southern portion skirts to the rear of four existing frontage dwellings, including a small lodge building by one of the existing accesses onto the site. This developed frontage is about 100m long.
- 6.5 The northern boundary is about 300m long and is marked by post and rail fencing and in its eastern section by adjacent offsite tree cover.
- 6.6 The western boundary appears to abut the grounds of Caversfield House although the Site Location Plan lodged with the application shows a tapered fillet of land between the red line boundary and the Caversfield House boundary. Caversfield House is set in parkland grounds in which the ancient church of St Lawrence is also located. This boundary is partly marked by stone walling augmented by a belt of mixed tree cover in the grounds of Caversfield House. It is about 200m long.
- 6.7 The southern boundary, about 310m long, abuts a minor un-named road that links Fringford Road in the east and the former A41, now the B4100, in the west.

### Levels and topography

- 6.8 No full topographic survey appears to have been submitted with the application but the tree survey records some levels which appear to relate to Ordnance Survey Datum. This is demonstrated by reference to OS mapping at the junction of the B4100 with the un-named road south of the site which is recorded as 86m AOD. Here the levels on the tree survey show a value of 86.004.

- 6.9 Whilst the site is fairly level, it has a very subtle undulation across it. The survey shows the levels immediately in front of the south side of the farmstead as 86.905m AOD. (The survey shows the farmstead to have a floor level of 87.4 and a ridge height of 94.92, whilst the indoor riding school has a ridge height of 93.66 above an external ground level of about 86.9.) A level of 87.735 is recorded at the north western corner of the site and 86.483 on the Fringford Road near the north east corner. The un-named road to the south falls from west to east from about 87.6 AOD to 85.5 AOD at its junction with Fringford Road.
- 6.10 Caversfield House to the west lies in a shallow fold formed by the Bure, a stream that runs south from Bainton to the north west to join the River Ray in Bicester.
- 6.11 North of the site the levels rise very gradually, a spot height on the Fringford Road 600m from the site recording a level of 91m AOD. East of the site the levels gradually fall through the conservation area to reach 84m AOD on the A4421 at the edge of the airfield, about 650m from the site.
- 6.12 To the west, beyond the Bure at Caversfield House, the gently undulating land rises to reach just over 105 m AOD near Bucknell, about 1.4km from the site.

#### Public Rights of Way and recreation.

- 6.13 There are no public rights of way on or immediately adjacent to the appeal site.
- 6.14 The closest right of way lies to the north of the appeal site: public footpath number 153/1/10. This runs west from Fringford Road and at it closest is about 180m north of the appeal site. From this point the path turns north west and then north to follow the Bure's shallow valley north to Bainton. At its eastern end at Fringford Road it links to another right of way but no views of the appeal site are possible.
- 6.15 There are several other rights of way in the general vicinity, notably near Bainton and Bucknell, about 1.75 and 2km respectively from the appeal site.
- 6.16 There are no areas of Open Access Land or Country Parks recorded within 1km of the appeal site, discounting any provision that may be made in the proposed Bicester North development referenced below, and shown in outline on **DH1**.

#### On-site vegetation

- 6.17 There are no Tree Preservation Orders attached to trees within the site.
- 6.18 Because the site is largely comprised of paddock grassland, there is limited vegetative structure to the appeal site.

- 6.19 The tree survey submitted with the application shows that the main entrance road into the site from the un-named road at the south is lined with poplars, Horse chestnut, beech and some young walnuts. There is also an ash, some cherries, Norway spruce and willows. There are some leyland cypress flanking the entrance gates with others to the east of the farmstead and some to the rear of the lodge on Fringford Road where there are also some further poplars.
- 6.20 As shown on the tree survey and by reference to the red line on the site plan, most of the vegetation at the appeal site's eastern and southern boundaries appears to be offsite and thus outside the appellant's control. One or two Field maples occur tight to the southern boundary fence but are seemingly offsite.

#### Offsite Vegetation

- 6.21 Offsite vegetation of landscape and visual relevance to the appeal site includes the roadside hedgerow / thicket on the verge on the north of the un-named road. This is unmanaged and locally gappy towards its western end. It is comprised of mixed native species including thorn, elder, blackthorn, cherry and significant bramble as well as suckering elm, the longer-term effectiveness of which in screening terms is uncertain.
- 6.22 There is a hedgerow to the south of the road. This is managed and trimmed to a height of about 1.8m. It has no hedgerow trees.
- 6.23 An overgrown hedgerow fronts the northern part of the appeal site with Fringford Road. This includes ash and hazel with some elder and privet. A drainage ditch appears to run intermittently through this verge planting. There are also some Field maples.
- 6.24 Offsite at the north eastern corner is a group of Scots pine. Immediately adjacent to this group is a linear plantation that extends northwards along Fringford Road.
- 6.25 At its eastern end, the northern boundary is screened by part of the plantation noted above, together with a finger of tree cover which extends towards the indoor riding school. The balance of the northern boundary is open.
- 6.26 To the west lie the most notable trees in the vicinity of the appeal site, these being located in the grounds of Caversfield House. The parkland planting belt includes oak, beech and lime as well as some Horse chestnut and some evergreens.
- 6.27 Further from the site to the north there are several belts of trees, the small woodlands of Bainton Copse and Cotmore Covert, and hedgerows which form a treed northern backdrop. Fringford Road is fairly well contained by roadside hedgerows.

- 6.28 To the south there is less tree cover, the vegetation of landscape significance being largely in the form of the generally well managed field hedgerows augmented by infrequent hedgerow trees.

#### Designations

- 6.29 The appeal site and the surrounding countryside is undesignated in terms of its landscape quality. However the following are considered relevant to the appeal site and its local context.

#### *Conservation Area*

- 6.30 The adjacent RAF Bicester conservation area is an extensive area including a large part of the military estate and the airfield. Its extent is shown on **DH1**. The western boundary of the conservation area is marked by Fringford Road, extending to the north and south of Skimmingdish Lane. The conservation area appraisal, published in October 2008, notes that the site retains:

*"... better than any other military airbase in Britain, the layout and fabric relating to pre-1930s military aviation..... it comprises the best-preserved bomber airfield dating from the period up to 1945..... It also comprises the best preserved and most strongly representative of the bomber stations built as part of Sir Hugh Trenchard's 1920s Home Defence Expansion Scheme".*  
(English Heritage).

- 6.31 That part of the conservation area that fronts onto Fringford Road was part of the married airmen's housing on the site. Here, the buildings are well proportioned and set in large garden areas and the robust institutional form is softened by informal tree planting. The conservation area appraisal states that these buildings make "a positive contribution" to the conservation area.

#### *Listed buildings and Scheduled Ancient Monuments*

- 6.32 There are numerous listed buildings in the RAF Bicester conservation area but these are set to the east of the airmen's married quarters and are thus not in immediate proximity to the appeal site. Similarly the conservation area contains some Scheduled Ancient Monuments but these are located on the airfield part of the site, east of Buckingham Road.
- 6.33 The Church of St Laurence within the grounds of Caversfield House is Grade II\*. This is set about 190m from the appeal site at its closest point, separated from it by the parkland tree cover.

- 6.34 Home Farmhouse, located on the western side of the B4100 is Grade II. This is visible from the appeal site which is about 150m distant at its closest point but partly set behind farm buildings on the frontage of the B4100.

*Green Buffer*

- 6.35 Green Buffers form an important element in the growth strategy for Bicester. The introduction in the Bicester Green Buffer Final Report (September 2013) (Extracts at **Appendix 3**) notes:

*"In order to maintain the distinctive identity of Bicester and that of its surrounding villages, green boundaries have been identified within The Cherwell Local Plan Proposed Submission (August 2012) between the areas of growth / the edge of the town and adjacent settlements. It is the intention that this Green Buffer will protect the identity of settlements, vulnerable gaps between the existing or planned built up limits of Bicester and neighbouring villages, and to protect valuable landscape or historic features. Existing important views will also need to be taken into account."*

- 6.36 The appeal site lies in the Caversfield Green Buffer, this being one of eight separately identified green buffer areas proposed around Bicester.

- 6.37 The report sets out the methodology for the Green Buffer review and the purposes of Green Buffers in section 3 and reports on the individual buffers in section 4. The Caversfield Green buffer is described at 4.1. Its main purposes are to:

- *Prevent coalescence and maintain a gap between development at the former DLO Caversfield site, Caversfield and the planned future edge of Bicester in the form of the proposed North-west Bicester Eco-town development;*
- *Protect the setting of the historic hamlet of Caversfield and its associated area of parkland;*
- *To assist with the protection of the setting of the residential area associated with the former Bicester Airfield as an historic and designated conservation area.*

- 6.38 Paragraph 4.1 draws attention to the narrow, 300m wide, gap between the DLO Caversfield site and the proposed Bicester Eco-town. It states that amongst other reasons:

*"Caversfield has been included within the Green Buffer given its limited size and historical interest and value. Other than Caversfield, the farm at South Lodge and a short row of houses on Fringford Road, the Caversfield Green Buffer is generally free from built development. The Green Buffer policy will ensure that this area is kept free from built development which would be harmful to the setting and identity of Caversfield. It will also ensure that that*



*(the) area of land that has historically been the parkland associated with Caversfield House remains free from built development".*

- 6.39 The Green Buffer report records the sensitivity of the triangle of open land between the southern edge of the former DLO Caversfield site which the conservation area appraisal describes as "*critical in preserving the setting of the conservation area in views from the south and west*". It continues, noting that:

*This triangle of land, as well as land to the north west of the conservation area, have been included within the Green Buffer designation to ensure that the setting of the conservation area is protected from built development and that the open, spacious nature of this part of the RAF Bicester conservation area is retained."(My emphasis)*

- 6.40 By reference to Figures 1.3 in the Bicester Green Buffer Report, reproduced in **Appendix 3**), it will be seen that the appeal site straddles the Caversfield Green Buffer at what is almost its narrowest point.

#### Landscape and Visual Detractors

- 6.41 Landscape and visual detractors in the immediate locality are limited.
- 6.42 Whilst some of the buildings on the appeal site are of ordinary quality, they are of types commonly found associated with farming type enterprises. As such, though lacking in architectural appeal, they nevertheless impart an appropriate and strongly rural character and, as such, are not considered to detract from the rural scene. This is assisted by their locations, which are set back from close public viewpoints, and augmented by their generally low height.
- 6.43 The housing area on Baker Close and Thompson Drive, north of the conservation area on Fringford Road, is unattractive and seemingly crammed into the site with properties close to the thin roadside hedge and close boarded boundary fence. Part of Baker Close opposite the north eastern corner of the appeal site locally detracts from the otherwise attractive character of Fringford Road.
- 6.44 An overhead low voltage electricity line crosses the appeal site and is locally intrusive at the south eastern corner of the site.
- 6.45 Further from the appeal site, the traffic on the B4100 is occasionally detracting, particularly when taller vehicles can be seen above hedgerow.
- 6.46 To the south, the northern edge of Bicester is an unfortunate insidious skyline feature with residential blocks rather starkly profiled behind a thin tree screen, at least in winter. Road lighting on the A4095 adds to this background perception of urban fringe south of the site. (This type of effect is also to be anticipated in time with the

proposed Bicester Eco-town. This will block the currently open south western prospect the appeal site benefits from.)

#### Existing settlement

- 6.47 Whilst the origins of the Caversfield are ancient, most of the village growth occurred from the early part of the 20th century after Bicester Airfield was established, some way to the east of Fringford Road. This became RAF Bicester after the First World War and continued to grow thereafter. Caversfield House, built in 1845 on the site of a former manor house, together with the Church and nearby Home Farm form a discreet grouping well to the west, whilst the modern Caversfield has grown towards it from the east along Skimmingdish Lane, but always contained between Buckingham Road and Fringford Road.
- 6.48 Until relatively recent times, before South Lodge was built, the only buildings on the western side of Fringford Road, save for Caversfield House and the church, were the small cluster of buildings inset at the appeal site's south east boundary, including The Old Vicarage set prominently at the junction of the un-named road and Fringford Road. An interesting aerial view on page 11 of the conservation area appraisal shows this long standing pattern quite clearly.
- 6.49 More recent development of indifferent quality to the north of the conservation area has had the effect of turning Caversfield into an almost rectangular settlement which contrasts with its earlier linear development along Skimmingdish Lane. Despite this, the range of buildings contained in the conservation area, their various forms and past functions, allied to the vernacular character of the small cluster of older properties on Fringford Road, still gives a unifying character to much of the settlement.

#### Visibility

- 6.50 Desk study and the site visits have enabled the primary visual envelope of the site to be determined. This is shown in a grey outline on **DH1**. The primary visual envelope represents a generalised indication of those parts of the surrounding area from where it is considered that views of the proposed development are most likely to be possible. There will be other locations outside the primary visual envelope that may have views but these are considered unlikely to be particularly significant, assuming vegetation cover remains as it now is, and that proposed building heights are not more than 8.5m high, the value adopted in the visibility study in the LVA. (This height is however questioned in the light of the information on the Parameters Plan 03 Building Heights. This shows a maximum height of 9.75m although I regard even this as rather low for a 2.5 storey property. These heights can be compared with the

existing riding school building, 6.75m high, and South Lodge, 7.52m high. (I reserve the right to comment further on this depending on how the Appellant approaches this apparent inconsistency in its evidence) This is because of the filtering effect of the offsite pattern of hedgerows and the relatively subdued topography. No buildings have been accessed as part of the visibility appraisal.

- 6.51 In terms of close public views of the appeal site, to the east, the visibility of the appeal site is defined by adjacent built development and, in terms of public views, is contained to the Fringford Road corridor and the western end of Skimmingdish Lane. The site is in view for pedestrians, cyclists and vehicle travellers.
- 6.52 Private residential views would be possible from the housing at the western end of the conservation area in Skimmingdish Lane, from properties on Baker Close, both east of Fringford Road, and to the west, from the properties inset at the south east of the appeal site.
- 6.53 To the north of the appeal site there are open views available from footpath 153/1/10 which at it closest is about 180m from the appeal site up to a distance of about 500m. No private residential views arise from this direction.
- 6.54 From the west and north west, visibility is limited by the tree cover along the boundary of Caversfield House and other tree belts.
- 6.55 From the south, the appeal site is seen from the public road at its southern boundary. Some of these views are partly filtered by the roadside (offsite) thicket but the perception of openness beyond is still apparent. Open views are possible, particularly from the western end and the existing entrance drive. The entrance drive introduces a locally suburbanising point in the road frontage by virtue of the flanking cypress trees and the rather out of character entrance gates. These views are available for pedestrians, cyclists and vehicle travellers.
- 6.56 In its undeveloped state, there are intermittent views from parts of Fringford Road on the northbound approach towards the site. These views are available to pedestrians on the footway, and to cyclists and vehicle travellers, but visibility would be determined by the management of the intervening hedgerows.
- 6.57 From the B4100, pedestrians are less likely to be present as there is no footway, but cyclists and vehicle travellers have intermittent views, particularly from near the Home Farm buildings. Here the private property, Greenacres, has a view of the appeal site which would also be in view by occupiers of the adjacent business units. Again, visibility would be determined by the management of intervening hedgerows. Views

directly from the listed Home Farmhouse appear to be screened by intervening buildings.

- 6.58 Depending on detailed layout and any containing planting, the Bicester Eco-town is likely to offer views of the appeal site.
- 6.59 I give detailed consideration to these main views subsequently.
- 6.60 Turning to the potential for longer distance views, the relatively flat countryside and the pattern of hedgerows and woodland (and the proposed Eco-town development) mean that views of the appeal site in its undeveloped state are to all intents and purposes largely screened. The site assessment that I have carried out, albeit in less than ideal conditions of visibility, has not identified any more distant locations than those implicit in the ZTV study submitted by the applicant and shown in Figures 9 and 10 (before and after development assumed to 8.5 m high) of the LVA.
- 6.61 Despite this, I have several reservations about the usefulness and accuracy of these drawings and how they have been constructed, compounded by the building height adopted as referred to above. As such they can only be regarded as very loosely indicative of the visibility given the subtlety of the landform and vegetation cover and, for some views, the absence of clear visual cut off points.
- 6.62 There are three areas in an arc of countryside from the west through the north west to the north east of the appeal site where the site might just be discernible when built out. It is impossible to be wholly certain but I consider the pattern of intervening vegetation would be likely to substantially screen development on the site. The locations broadly equate with viewpoints 4, 5 and 6 identified on Figure 11 in the applicant's LVA. However, it will be noted in my subsequent assessment that I do not regard these as being determinative viewpoints.

#### Landscape Quality

- 6.63 Landscape Quality (or Landscape Condition) is defined in the GLVIA3 glossary as being:

*“A measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements.”*

- 6.64 Given the findings of the local character assessments and the insight I have gained from the site visits and the baseline review, I consider that the landscape quality of the countryside in the vicinity of the appeal site is generally **good**. The landscape reflects the typical character of nearly flat to very gently undulating landform, the large

field pattern, albeit slightly superficially eroded by the paddock-style fencing on the appeal site, and some woodland elements, particularly to the north of the appeal site. South Lodge and the associated building group, whilst of little architectural merit, do not appear out of keeping with the rural character. The presence of RAF Bicester conservation area adds something of a contrasting sense of order to the built form. The parkland of Caversfield House also makes a strong contribution, this being another defining characteristic of the local landscape character area assessments and a local heritage asset, albeit unrecorded on the local register. It is a coherent, settled and largely intact landscape, although the insidious effects noted at the edge of Bicester erode this perception locally in the area to the south of the appeal site.

- 6.65 This erosion is likely to be exacerbated as a result of the Bicester Eco-town proposed to the south west of the appeal site and bounded by the B4100.

#### Landscape Value

- 6.66 Landscape value is defined in the GLVIA3 glossary as being:

*'The relative value that is attached to different landscapes by society. A landscape may be valued by different stakeholders for a whole variety of different reasons.'*

- 6.67 As is clear in the definition, relative value is something that will be different for different people. Those residents who live adjacent to the appeal site and enjoy an outlook across it and local users of the road network and local rights of way network near to the site would be likely to value it very highly.

- 6.68 It is highly valued by Cherwell District Council, reflected in its proposed designation as part of the Caversfield Green Buffer. Discounting the Green Buffer, the appeal site's open character has been recognised as of importance to the setting and appreciation of the adjacent RAF Bicester conservation area whilst the landscape character studies emphasise the importance of the countryside to the setting of estate parklands.

- 6.69 My assessment of value takes account of the local designation and the adjacent national designation, the generally good quality of the appeal site and its immediate surroundings, the limited detracting features and its landscape role as providing the immediate rural setting to the western edge of the main settlement of Caversfield, whilst contributing to the local setting of Caversfield House. Additionally, in my view, its value is enhanced by its proximity to the Bicester urban edge.

- 6.70 Despite the relatively limited local vantage points from which the appeal site can be seen, it reads as part of a swathe of open countryside that forms the rural setting to

the western edge of Caversfield. It allows intervisibility from the south near Bicester, across the site to the farmland to the north. This is a landscape window, the importance of which will be more obviously appreciated once the Bicester Eco-town is built, closing off the currently open outlook north-west from the existing urban edge of Bicester and south-west from the appeal site.

- 6.71 I accept that the characteristics and components of the appeal site and some of its surroundings are not rare either locally or nationally, however it is these generally attractive qualities, allied to its sensitive settlement edge location relative to both Caversfield and Bicester, that gives the landscape a higher importance or value at both the local and district levels.
- 6.72 Taking all the above attributes into account, I consider the landscape value of the appeal site to be **high** at the local and district level (see **Appendix 1, Table 1**).

## 7 The Appeal Proposal and Design Issues

- 7.1 The outline proposal is for up to 200 dwellings with associated access, amenity open space, a shop and village hall.
- 7.2 I have reviewed the Landscape Visual Appraisal (LVA) by Define, the Design and Access Statement (DAS) and other documents submitted as part of the planning application. I have also read various comments from internal and statutory consultees and the officers' report relating to the application recommending refusal.
- 7.3 Initially, appearance and layout were proposed for determination as well as access. Whilst it is understood that only access is now for determination, it is still worthwhile noting some key concerns relating to the submitted illustrative information relevant to my area of evidence. These are in addition to my "in principle" landscape and visual objections to the proposals because of their location outside the limits of built development in the open countryside, within the proposed Green Buffer and adjacent to the conservation area.
- 7.4 In my opinion, the concept masterplan demonstrates what would be a very harsh, blocky rectangular layout and, overall, an even and homogenous spreading of the individual units across the site. This can be seen by reference to the concept masterplan itself which helpfully allows a comparison to be made with the more open, informal and variable spacing noted in the existing development to the east, including within the conservation area.
- 7.5 The harshness is further evidenced by, for example, the treatment fronting the unnamed road at the site's southern boundary. How this purports to be appropriate to the "rural edge" function indicated in the DAS is unclear. The SPG Countryside Design Summary, the purpose of which is to guide development in rural areas so that the distinctive character of the district's countryside and the settlements and buildings within it are maintained and enhanced, recommends that development:
- *should avoid exposed and prominent locations;*
  - *must maintain or enhance the specific character and setting of historic parklands which defines this part of the District;*
  - *should reinforce the existing street pattern, which creates the basic village form;*
  - *should reflect the character found in the immediate locality in terms of the relationship between buildings, open space and roads.*

- 7.6 In my opinion the illustrative layout achieves none of these aims.
- 7.7 Even allowing for the illustrative nature of the material, the masterplan shows that properties midway along the southern frontage would be set back about 10m from the indicated red line. However, cross-section A-AA on page 32 of the DAS indicates the properties being set back 15m whilst the LVA report recommends only 7.5 - 10m. Clearly there is significant scope for misinterpretation. This appears to be compounded by the indicative elevation shown on page 27 of the DAS that purports to be of the rural edge. The elevations do not relate to the layout. It is thus not clear what the purpose of the elevation is.
- 7.8 It seems to me that it would not be unreasonable to expect all the illustrative material to be illustrating the same illustrative scheme. Rather it is more an assemblage of options or variations that do not properly relate one to another. This makes the illustrative proposals needlessly confusing, contradictory and uncertain.
- 7.9 Neither the LVA nor the DAS address the harmful effect of the access on the appearance and character of the Fringford Road corridor and conservation area. The LVA does not even show a photograph of this location (nor indeed from the un-named road to the south). This is especially pertinent given that access is for determination.
- 7.10 I comment first on the information submitted with the application and then on the amended information submitted by Pegasus under cover of their letter on 14 February 2014 which they wish the Inspector to consider.
- 7.11 By referring to Figure 9 in the submitted transport assessment together with the arboricultural plan TSP1 Rev 1, the access implications become clearer. The offsite thicket hedgerow north of the proposed access would be almost entirely removed. To demonstrate this I have produced **DH3** which overlays these two submission drawings. This shows that the clearance would also be required to extend along Fringford Road to the north of the north east corner of the site. South of the proposed access, the hedgerow clearance would be less severe but would still have an obvious detrimental effect, eroding the character of the road corridor.
- 7.12 The concept masterplan and the other information is unreliable in this area as the retention of this important vegetation is shown. The cross section D-DD on page 33 of the DAS is entirely misleading in this regard as it will be noted from **DH3** that the sight line essentially coincides with the site boundary. Little or no scope for on-site mitigation planting would be possible, leaving the development exposed to the road frontage.



- 7.13 The concept masterplan also indicates a new footway on the eastern side of Fringford Road and a pedestrian crossing set mid-way between the new access and Skimmingdish Lane.
- 7.14 On any consideration of the implications of the original access proposal, I believe it is clear that the character of the road corridor would have been harmed, its generally rural appearance becoming overtly suburbanised, not just by the clearance works but the obvious presence of the proposed development that would be locally prominent in the road corridor and adjacent conservation area.
- 7.15 The recently proposed access amendments, still marked as "Preliminary", serve to illustrate the inadequacy of the information originally submitted. Whilst at first sight there would appear to be a less damaging effect arising from the now proposed reduced sightline requirement, the numerous other "add ons" more than offset this.
- 7.16 The amended proposal would widen the Fringford Road corridor to introduce a pedestrian refuge island north of the access (TPA Proposed site access arrangement Option 5). There would be the consequential loss of verge on the western side to form a new footway with road side kerbing, the widening itself taking land to the east, eroding this verge, with additional verge being taken for the newly proposed bus stop shelter. The pedestrian crossing is proposed to be signalised. All these typically urban features, augmented by the attendant road markings, lie at the boundary of the conservation area where the current outlook is essentially rural.
- 7.17 The Fringford Road corridor would also be affected south of the site. Here the amended preliminary proposals would introduce "build outs" at the junction of the unnamed road with Fringford Road (TPA Existing Unnamed Junction with Fringford Road - Potential Junction Improvements). The south side of this junction is currently un-kerbed, reflecting its rural character. Build outs are usually associated with warning bollards and signs, although these are not indicated on the plan. All these sorts of features would impact on the road corridor, insidiously and adversely altering its character and appearance.
- 7.18 Further south on the Fringford Road, where the village is marked by a gateway feature, the existing footway is proposed to be widened to 3.0m to provide a shared use cycle/footway (TPA Proposed shared use cycle/footway on Fringford Road). This would extend south to the junction with the A4095, a distance of about 300m. The plan includes a note stating that a minimum width verge of 1.0m to the highway boundary would be retained. The poor clarity of the plan does not allow this to be checked but, at least in some places, it appears that this would impact on the roadside hedge, possibly requiring its removal. A pinch point is shown on photograph **1.5**.

- 7.19 In my opinion the newly proposed "preliminary" access plans would increase the obvious and damaging effects of the proposals on the Fringford Road corridor for pedestrians and vehicle travellers, for residents who have an outlook on to the road, and would further impact adversely on the setting of the conservation area.
- 7.20 The amended proposals also seek to introduce a footway /cycleway and emergency access onto the un-named road to the south. This would make use of the existing site entrance. No detail has been provided as to the form of this but numerous examples exist where poor design, illicit use and poor management can result in localised impacts. In the event that permission is granted, careful detailing of this aspect, its signage and long term management would be needed to ensure that the erosion of rural character is minimised.
- 7.21 The concept masterplan places a storm water attenuation basin at the site frontage. These areas are frequently unsightly and obviously engineered features. There is inadequate information to be certain that this could be appropriately designed and suitably softly contoured such as not to be an eyesore at the entrance to the site. It also raises questions about control of public access for safety reasons. It is shown as 'green space' on the masterplan and is shown as a dry finish on the landscape strategy plan in the DAS (page 29). It is not clear how it would be managed subsequently. Whilst a photograph of a dry balancing pond is shown on page 30 of the DAS, I do not regard this as an appropriate solution given the prominence of this feature near the conservation area and at the site frontage. I consider more information should have been provided to enable a proper understanding of both its appearance and acceptability.
- 7.22 The layout suggests a relatively open treatment to the currently open north eastern boundary where the appeal site abuts open farmland. The use of parkland style railings and specimen tree planting is being proposed. If the principle of development were found acceptable, this could be an appropriate boundary treatment, other than for the fact that the layout also introduces vehicles along this edge. In my opinion this would tend to exacerbate the visual effects of the development in the views from the north, although I accept that vehicle movements would be limited.
- 7.23 By contrast, the balance of the northern boundary shows proposed housing units tight up to the off-site tree cover. I consider this is undesirable in amenity terms. It also results in one part of the site boundary not being able to be properly 'policed' or maintained in the way that appears to be achievable for the balance of the site. It is also a concern that the tree survey does not record any detail here and so conflicts with root protection areas of the off-site trees cannot be ruled out. A similar situation

might arise at the two properties at the northwest and south west corners of the appeal site, relative to the adjacent mature parkland tree cover in Caversfield House.

7.24 The concept masterplan shows a footpath through the development along the line of the existing access from Fringford Road. This would clearly have amenity / security implications for the residents of the lodge building. The purpose of the footpath is unclear as it purports to continue north over what is private land.

7.25 I consider that the concept masterplan and the supporting indicative material gives no comfort as to what is being proposed, in fact they confirm the inappropriateness of the proposals. This conclusion is inevitably reinforced by the recently proposed, but still preliminary, alterations to the access, the landscape and visual implications of which are even more concerning than the original proposal. It seems to me that the preliminary nature of the latest proposals must also raise a question as to what exactly is the access proposal for which consent is now being sought.

## **8 Assessment Methodology**

- 8.1 This is based on the guidance set out in the third edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) published by The Landscape Institute and the Institute of Environmental Management and Assessment in April 2013.
- 8.2 Landscape and visual effects are independent but related subject areas and are assessed separately. Landscape effects derive from changes in the natural and built environments which may give rise to changes in their fabric, character and quality and how these are experienced. Visual effects relate to the changes that arise in the composition of available views and general visual amenity as a result of a development proposal.
- 8.3 The landscape and visual effects assessment is made against a baseline of the site as it was at the time the assessment was undertaken in January 2014.
- 8.4 Visual assessment is normally based on Winter Views at “Day 1” as these tend to represent the “worse case” views, particularly where mitigation is reliant on new planting. The situation at either “Year 10” or “Year 15” is also usually considered as this is deemed to be adequate time to have allowed for at least some benefit from mitigation by new planting and management to have taken effect. In this case I have undertaken the assessment at Year 10.
- 8.5 Effects can be positive (beneficial), negative (adverse) and are sometimes neutral. This last ranking may most frequently occur where the change is very limited. It may also occur where a visual change may be very discernible but is considered no better or worse than what it replaced having regard to the context of the view.
- 8.6 Effects on landscape character, value and visual amenity can arise from many causes, for example, perceived changes to:
- the scale, grain and pattern of the landscape, for example by alien or engineered landform or out of context planting or changes to land cover;
  - deterioration or erosion of the rural landscape by the urbanising effects of traffic, hard surfacing, structures and built development, lighting and signs and associated loss of tranquillity;
  - views or loss of views between surrounding locations and the proposed development.
- 8.7 The following definitions help explain the methodology.

### *Sensitivity*

8.8 Sensitivity is defined in the GLVIA3 as:

*“A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor.”*

### *Landscape Susceptibility*

8.9 Landscape susceptibility is discussed below and is defined in the GLVIA3 glossary as:

*“The ability of a defined landscape or visual receptors to accommodate the specific proposed development without undue negative consequences.”*

8.10 The assessment should be read in conjunction with the tables set out in **Appendix 1** but one should be mindful that there is inevitably scope for professional judgements to be made. The tables are there to clarify and support the assessment; they do not set out a mechanism to be rigidly applied. The tables are:

<b>Table 1</b>	Landscape Receptor Value
<b>Table 2</b>	Landscape Susceptibility
<b>Table 3</b>	Magnitude of Landscape Effects - Thresholds
<b>Table 4</b>	Visual Receptor Sensitivity
<b>Table 5</b>	Magnitude of Visual Effects - Thresholds
<b>Table 6</b>	Significance of Effects for Landscape or Visual Effects.

### Consideration of methodology used in the LVA supporting the planning application.

8.11 I have reviewed the LVA by Define which accompanied the planning application and raise the following issues that I do not agree with or consider to be a concern.

8.12 Peculiarly the LVA does not set out findings of effect but nevertheless includes a mitigation plan. Neither does the LVA include a strategy plan or any reference to the masterplan layout being addressed.

8.13 The LVA does not attach any value to the proposed Green Buffer designation which is not mentioned. Whilst it references the landscape resource in terms of trees and woodland, it does not acknowledge the loss of green field land to development.

8.14 There is no consideration of the access implications, nor is there any apparent consideration of any effects on the RAF Bicester conservation area.

- 8.15 The report does not record that any layout modification has been made as a result of landscape input during the iteration of the scheme design, rather it seems to be a rubber stamping exercise.
- 8.16 The LVA shows a range of what are promoted as representative viewpoints. However none of the viewpoints show either the Fringford Road frontage or the southern frontage of the appeal site, nor the view of the site from the western end of Skimmingdish Lane. I consider the omission of any representation of these views to be a surprising oversight and one that to my mind suggests a lack of transparency and balance. A high proportion of the views selected appear to have been chosen because they do not show the site.
- 8.17 I do not agree with the all the rankings of receptor value, susceptibility and sensitivity, that have been adopted in the LVA.
- 8.18 No information is provided to confirm the mechanism or protocols for the management of the proposed landscape measures or public open space. This could be agreed via a legal agreement should the appeal be upheld, however it is not uncommon for either the LVA or the DAS to set out how this is proposed to be handled. This is of particular relevance where reliance upon the long term "benefits" of mitigation by planting are an important part of the proposals.

#### Assumptions / Limitations

- 8.19 Key assumptions or limitations that have been made in undertaking the assessment relate to the outline nature of the application (with all matters reserved excluding access arrangements) and the lack of adequate indicative detail submitted regarding scope for mitigation and management. My assessment has assumed the implementation of the concept masterplan and the originally proposed access details although I note where some differences would arise.
- 8.20 Construction effects have been discounted from my assessment due to their temporary nature and lack of information at this stage.

## 9 Landscape and Visual Assessment

### Landscape Effects

9.1 The "significance" of landscape effects can be described as a consideration of the effect in terms of:

- sensitivity of the receptor made up of judgements about:
  - the susceptibility of the receptor to the type of change arising from the specific proposals; and
  - the value attached to the receptor;
- magnitude of the effect made up of judgements about:
  - the size and scale of the effect, for example is there a complete loss of a particular element of the landscape or a minor change;
  - geographical extent of the area that will be affected ;
  - the duration of the effect and its reversibility.

Consideration of all of these criteria enables an informed assessment to be made.

9.2 The susceptibility of the landscape receptor, i.e. the appeal site, in its current largely undeveloped state taken in context with its surroundings is compared to the development proposal. The intrinsic susceptibility of a green field site to development would be regarded as high.

9.3 The proposal would result in a material loss of landscape resource simply by taking open agricultural land for development. In this instance, however, the high susceptibility represented by this loss needs to be considered having regard to the susceptibility of that part of the site occupied by the existing footprints of the buildings and hard standings that would be redeveloped.

9.4 For these built forms, in this instance I consider the susceptibility to be medium as opposed to low as the replacement of the built form cannot be considered to be in keeping with the farmstead nature and character of the existing development.

9.5 This suggests therefore that the overall susceptibility of the appeal site could possibly be regarded as medium - high. However, in my opinion, this ranking would not adequately recognise the location of the appeal at the edge of Caversfield, the

manner in which it "juts out" into the open countryside site and its weak landscape structure.

- 9.6 I therefore consider that the landscape susceptibility of the appeal site should be regarded as **high** (see **Appendix 1, Table 2**).
- 9.7 As recorded in the baseline assessment, I consider the landscape value to be **high** at the local level and district level.
- 9.8 Considering these evaluations of the two components that inform the assessment of sensitivity indicates to me that the appeal site should be regarded as having a **high** landscape sensitivity at the local and district level.
- 9.9 I contrast my approach to that set out in the LVA at 4.6. where landscape susceptibility has been assessed as "medium" and the value as "low" giving a ranking of low / medium sensitivity.
- 9.10 In support of this, the LVA states that the site is not subject to any landscape designation and does not contain any landscape features of acknowledged importance. It further states that the landscape character is not rare and that the site has no particular scenic quality or recreational or conservation value.
- 9.11 This seems to me to be a very blinkered appraisal, essentially looking at the site completely divorced from its context. Whilst not a landscape designation, the site lies in the Green Buffer, between a feature that is an acknowledged key characteristic of the local character area, an estate parkland, and to the east, the nationally important RAF Bicester conservation area. There is no landscape or visual rationale for the choice of the site. There is similarly no recognition of the subtle intervisibility across the site and how an urban encroachment here, jutting out into the open countryside would alter the present still largely rural scene or the effects that would arise on the street scenes in Fringford Road and the un-named road to the south. For these reasons I do not agree with the thrust of the LVA in its approach to the consideration of landscape issues.

#### Effects of Completed Development on the Landscape (Day 1/Year 10)

- 9.12 Landscape and visual effects of the proposals include / would arise from:
- loss of the attractive rural setting of a part of the western edge of Caversfield;
  - the introduction of built form into the countryside with development jutting out into the countryside in an arbitrary and piecemeal fashion unrelated to any logical landscape or visual rationale;



- changes to the character of the local landscape and streetscene of Fringford Road and to the un-named road at the site's southern boundary;
- detrimental changes to the perception and character of part of the RAF Bicester conservation area;
- loss of the core of the locally important Green Buffer, severing the subtle north-south intervisibility across the appeal site.
- erosion of tranquillity;
- the introduction of new vehicular access roads, traffic, parking areas and lighting at the new rural edge;
- an increase in the lit footprint of the village edge;
- consequential changes to how the site and the settlement is perceived including loss of and changes to views.

9.13 In terms of the magnitude of effect, by reference to **Table 3**, I consider that the proposal would result in the total loss or major alteration to key elements / features / characteristics of the landscape baseline and/or the introduction of elements considered to be totally uncharacteristic when set within the attributes of the wider receiving landscape, allowing for the presence of the existing built form of Caversfield and Bicester. This equates to a high adverse magnitude of effect.

9.14 When one has regard to the proposed urban extension to the north west of Bicester by the Bicester Eco-town, I acknowledge that the attributes of the wider receiving landscape would change. The appeal site would be divorced from the Eco-town by the B4100 and the intervening southern field but its development would to all intents and purposes fill the remaining open countryside gap between the Eco-town's western boundary and the edge of Caversfield. Thus whilst the attributes of the wider receiving landscape would have an increased urban edge presence, and the magnitude of effect might be perceived slightly differently, I do not believe that it would be such as to suggest that the magnitude of effect could be regarded as other than a **high adverse** effect. In my view the importance of what would be the remaining open countryside swathe, in which the appeal site lies, as a fundamental attribute of the wider receiving landscape would be increased.

9.15 Irrespective of the buffer notation, this part of the swathe of open countryside forming the rural setting to a currently well defined and logical settlement boundary, essentially formed by Fringford Road at the western edge of Caversfield, would be replaced by built form and traffic. The development would encroach into the

countryside imposing an arbitrary, illogical and harsh line of development well beyond the existing settlement boundaries and their clear lines of development.

- 9.16 The proposed siting of the new vehicular access off Fringford Road would have a detrimental and suburbanising effect on the still essentially rural character of the road corridor in a 'gateway' location. The misleading representation of the ability to maintain vegetation at the road frontage has already been commented on, the clearance extending north beyond to appeal site boundary.
- 9.17 The concept masterplan indicates not only reliance on planting that cannot be retained but also on other seemingly offsite hedgerow thickets that appear also to be outside the appellant's control. Some of this planting includes elm which is prone to cyclical dieback. There is no clear or robust on-site landscape strategy that could in time provide any certainty over mitigation of the adverse effects. This is demonstrated by Figure 24 in the LVA which just suggests a scattering of trees at the site's edges and confirmed by the conflicting indicative details noted above.
- 9.18 As set out above, I rank the overall sensitivity of the landscape as **high** at a local and district level. This, together with a **high** magnitude of landscape effect would give a significance of landscape effect that I would rank as **substantial adverse** at Day 1. By extension from the guidance in table 6, I would categorise this as broadly equating to the situation "*where the proposal would cause a very significant deterioration in the landscape resource*" at a local district scale.
- 9.19 The loss of agricultural land and part of the rural setting to both the village and the parkland of Caversfield House would effectively be permanent. Over time, although new planting, if more appropriate and robust than that suggested by the appellant's LVA, together with a substantially reduced footprint of development, might soften the new settlement edge and may help to visually contain the built form, the adverse impacts arising from the introduction of new roads and buildings and their encroachment into the countryside would persist. However, none of this is proposed on the appeal scheme.
- 9.20 Furthermore, the permanent loss of green field land and the creation of an arbitrary line of new settlement and increased built form into this part of the locally valued countryside would always outweigh any landscape benefit that would arise from new planting in the longer term.
- 9.21 On the basis of the information submitted to date, I consider that by Year 10, the magnitude of effect would still be **high adverse**. The significance of landscape effect would be unlikely to have reduced, remaining **substantial adverse** at both the local and district scale.

- 9.22 In terms of the Green Buffer, my assessment is that the loss of the appeal site to development would render the balance of the Caversfield Green Buffer worthless. It would physically block the "window" of open countryside that radiates out from Bicester between Fringford Road in the east and the B4100 in the west as well as detrimentally erode the open setting both of the conservation area and Caversfield House parkland.

#### Visual Effects

- 9.23 The "significance" of visual effect can be described as a consideration of:

- Visual sensitivity which is made up of judgements about the susceptibility to change of the viewer (receptor) and the value attached to views:

#### *Susceptibility:*

- The susceptibility to change depends upon receptor location, occupation or activity and the extent to which attention focuses on views and visual amenity.
- In this instance the most susceptible visual receptors are considered to include people engaged in outdoor recreation on public rights of way, whose interest is likely to be focused on the landscape and views. (This would include equestrians and cyclists on any affected bridleway but this is not applicable in this case.) It has also been deemed to include residents at home on Fringford Road, Skimmingdish Lane and Baker Close (although no private properties have been visited for this assessment and no residential amenity assessment has been carried out and accepting that there is "no right to a view"). These receptors are all considered to have high susceptibility.
- Vehicle travellers, pedestrians and cyclists on the un-named road to the south are considered to have a medium-high susceptibility as the rural character of this road means that their awareness and expectations regarding visual amenity are likely to be higher than users of other larger /busier roads.
- Vehicle travellers, pedestrians and cyclists on Fringford Road and Skimmingdish Lane are considered to have a medium susceptibility as the largely rural character of the former and the character of the conservation area for the latter, both allied to the nature of the roads, heightens awareness and expectations regarding visual amenity

above users of other busier roads. Residents at Greenacres, on the B4100, have been regarded as having medium susceptibility as this property has an open frontage close to the highway.

- Vehicle travellers, pedestrians and cyclists on the B4100 are considered to have a low-medium susceptibility to visual change due to the busier nature of the road and, for pedestrians, the lack of a footway.
- People at their place of work (including those managing or tending to the surrounding land) are considered to have a low susceptibility.

*Value:*

- The value attached to certain views that are experienced. For example, views may be specifically recognised in relation to heritage assets, or through planning designations, or in indicators of the value attached to views by visitors (such as appearances in guidebooks, tourist maps or provision of facilities for enjoyment of the view).
  - In this case, I have not sought to rank the value of views given that most of the public views are interrelated as viewers move through the area on the public roads or the local right of way north of the site. This can be regarded as a precautionary 'worst case' approach. *(If I were to value any existing local public views more highly than others, they would include those around the western end of the conservation area such as on the northbound approach on Fringford Road and the view north west from the end of Skimmingdish Lane. In the first views, the open aspect on the approach to Caversfield would be lost. In the second view, from just within the conservation area, the open land in the foreground of the farmstead and the rural Fringford Road corridor to the north would be lost. This seems to me to be a local punctuation point, marking the end of the conservation area and the start of open countryside.)*
- In this instance, as all views have been similarly valued, the ranking of visual sensitivity accords with the allocated ranking of susceptibility.

*Magnitude:*

- For example, if there is a complete loss of a particular element or only a minor change, together with a consideration of extent and permanence.

- The visual sensitivity is then considered against the magnitude of visual effect to determine the "significance" of visual effect.

### **Effects of Completed Development on Visual Amenity (Day 1/Year 10)**

9.24 My visual assessment of the completed development is set out below against the separate local visual receptors I have identified. Whilst the site, if built out, would undoubtedly be glimpsed in some longer views, I do not consider that detailed assessment of these locations would add very much to a proportionate evaluation of the visual effects of the appeal proposals.

9.25 Pedestrians on footpath 153/1/10 north of the appeal site (Photographs 3.2, 3.3 and 3.4):

- **High** receptor sensitivity.
- **High** magnitude of visual effect is considered to apply for closest views from southern part of the path, 300m - 180m from appeal site, that would be adverse, reducing to **medium** for the view from northern gateway approximately 550m from appeal site that would also be adverse. Development would close off the open gap noted between the farmstead buildings and Caversfield House boundary in what is a wholly rural view. The present relatively low ridge heights of farmstead building would be increased and extended above the tree screen to the east. There would be an insidious urban fringe character. Some vehicle movements would be noted.
- **Substantial adverse** significance of visual effect at Day 1 from the closest southern parts of path. Significance of visual effect would probably reduce towards **moderate adverse** by Year 10 and the eastern side is likely to be screened by existing tree cover, but the change to character of the view would remain and its rural character would have been severely eroded.
- **Moderate-Substantial adverse** significance of visual effect at Day 1 from the northern gateway, approximately 550m from the appeal site and probably reducing to **moderate adverse** by Year 10.

9.26 Vehicle travellers, pedestrians, equestrians and cyclists using un-named road to south of appeal site (Photographs 1.1, 1.2, 1.3 and 1.4):

- **Medium - high** receptor sensitivity.
- **High** magnitude of visual effect is considered to apply for the whole length of the road and is considered to be adverse. Whilst some of this boundary has

some offsite screening thicket, I consider that the visual amenity of the road corridor would be influenced throughout by the inevitable elements of built form that would be noted either through the currently open gaps and through or above the vegetation. The present layout indicates vehicle accesses along much of the inside of the boundary and properties only being set back from the boundary by a very small margin.

- **Moderate / substantial adverse** significance of visual effect is considered to apply at Day 1. Given the lack of clarity over the boundary treatment, a precautionary approach has been adopted. I consider it unlikely that the significance of visual effect would materially reduce, save for the section of frontage where there is currently no screening. I therefore believe that it would remain within the **moderate / substantial adverse** range by Year 10.
- (The proposed amended pedestrian access /cycleway link with emergency vehicle access would be noted as an unscreened and urbanising element).

9.27 Vehicle travellers, pedestrians, equestrians and cyclists using Fringford Road, at the site frontage and at the western end of Skimmingdish Lane (Photographs 2.1, 2.2, 2.4 and 2.5):

- **Medium** receptor sensitivity.
- **High** magnitude of visual effect is considered to apply that would be adverse at, and in proximity to, the site's road frontage on Fringford Road, and at the western end of Skimmingdish Lane. The proposed access would remove roadside vegetation and allow open views into housing development, changing the scale, massing and character of the road corridor. **Low** rising to **high** magnitude of visual effect is considered to apply on the northbound approach to Caversfield and that would also be adverse. A more abrupt visual cut-off is anticipated to the north due to alignment of Fringford Road and existing screening. Rooftops of development will be noted above intervening hedgerows and, on closer approach, more of the upper elevations would be discernible. Built form would alter the perception of open countryside currently noted to the west of The Old Vicarage at the junction of Fringford Road with the un-named road south of the appeal site. Effects would vary with hedgerow management.
- **Moderate / substantial adverse** significance of visual effect is considered to apply at Day 1 at, and in proximity to, the appeals site's road frontage on Fringford Road and at the western end of Skimmingdish Lane. On the basis

of the illustrative proposals, this would be likely to remain at **moderate / substantial adverse** by Year 10.

- **Slight adverse** rising to **Moderate / substantial adverse** significance of visual effect at Day 1 on northbound approach to Caversfield on Fringford Road. There would be little alteration in significance of effect by Year 10 as taller parts of development noted at Day 1 would take the longest to screen.
- (The proposed amended access details, signalised crossing, pedestrian refuge, footway/cycleway and build outs would all be noted as further urbanising elements in these views for users of Fringford Road.)

9.28 Vehicle travellers, pedestrians, equestrians and cyclists using B4100 (Photographs 3.7 and 3.8):

- **Low** receptor sensitivity.
- **Low** rising to **high** magnitude of visual effect on the northbound approach to Home Farm and junction with the un named road south of the appeal site is considered to apply, all of which would be considered to be adverse. There would be similar visual changes noted as described for the northbound approach on Fringford Road, with rooftops seen above the intervening hedgerows and from the vicinity of Home Farm, where more of the upper elevations would be discernible. Built form would alter the perception of open countryside currently noted to the east of Home Farm. Effects will vary with hedgerow management.
- **Low - minimal adverse** rising to **moderate adverse** significance of visual effect is considered to apply at Day 1 on the northbound approach to Home Farm and the minor road junction. Probably little alteration in significance of effect by Year 10 as taller parts of development noted at Day 1 would take longest to screen.

Private residential views:

9.29 I now address private residential views from homes and gardens. There are several properties that provide the opportunity for views of the appeal site. As noted above, none have been visited. All have been regarded as having **high** receptor sensitivity although it must be acknowledged that the use of the overlooking rooms could have the effect of reducing the sensitivity and thus the predicted significance of effect.

Western side of Fringford Road

- There are 4 properties on the western side of Fringford Road which are skirted round by the appeal site. These have the benefit of some screening vegetation in their rear gardens but, as can be seen by reference to photograph 2.1 showing The Old Vicarage, development beyond the garden boundary would be readily apparent. Additionally, the lodge adjacent to the existing Fringford Road access is open to the appeal site on its northern side. For precautionary purposes, bearing in mind the lack of detail as to what exactly is proposed, I consider that the magnitude of effect can only be assessed as likely to be **high** and adverse. I draw support for this from the indicative masterplan that suggests some additional planting at the common boundary.
- In my opinion the significance of visual effect would be **substantial adverse** at Day 1. I believe this effect is likely to remain largely unmitigated by Year 10.
- (Occupants at The Old Vicarage would also experience an adverse visual effect arising from the junction build outs.)

Eastern side of Fringford Road on Skimmingdish Lane

- On the eastern side of Fringford Road there are two prominent properties in the RAF Bicester conservation area set on either side of Skimmingdish Lane. Both of the properties are 2.5 storey. These can be seen on photograph 2.3. The northern property, which is set obliquely to the Fringford Road, is more open and closer to the appeal site than the southern property. The southern property is set more squarely to its road frontages and has several mature trees within its garden.
- I consider that the views available from the northern property, whilst oblique, would be likely to be regarded as a **high** magnitude of effect that would be adverse. The development on the appeal site and the loss of vegetation in the Fringford Road corridor would be obvious and unscreened from first and second floor windows. Upper parts of the development would be seen from the garden. For the southern property, which appears to include accommodation over garages in addition to the main house, the changes to the vegetation in the road corridor and the development on site would also be discernible. However this property lies opposite an already built up section of Fringford Road and has more tree cover. I therefore consider that the



magnitude of effect would more likely be regarded as probably no more than **medium adverse**.

- In my opinion the significance of visual effect would be **substantial adverse** at Day 1 for receptors in the northern property whilst the significance of effect for those in the southern property would be **moderate adverse**. On the basis of the present proposals I believe these effects are likely to remain largely unmitigated by Year 10.
- (The signalised junction would be noted from the two properties fronting onto Fringford Road.)

Eastern side of Fringford Road on Baker Close

- Whilst there are several properties on Baker Close from where I consider receptors would be exposed to some visual change from first floor windows arising from the appeal proposals, there are five in particular that I believe merit special mention. Two pairs of semi-detached properties have rear elevations directly opposite the appeal site where the roadside vegetation in the verge is to be almost entirely removed. This would allow largely open views though the poor quality gappy hedgerow at their boundary, across the road corridor to the development. The fifth property is set to the north, at an angle to Fringford Road, exposing it to a view orientated more along the road corridor and the frontage of the appeal site. The view approximates to that shown on photograph 2.5. I consider that the magnitude of effect for receptors on the first floor of these properties would be **high** and adverse.
- In my opinion, the significance of visual effect would be **substantial adverse** at Day 1. On the basis of the present proposals I believe these effects are likely to remain largely unmitigated by Year 10.
- (The proposed amendments to Fringford Road would be readily apparent in views from these nearby properties.)

Eastern side of Fringford Road, south of junction with un-named road

- Bricknells Farm and the three properties to the south, on the eastern side of Fringford Road, south of the junction with the un-named road, have views north-west in which development on the appeal site would be seen. The views are broadly similar to those seen on photographs 2.1 and 3.6. Whilst there is some vegetation cover in the front gardens, all would have some opportunities for views, possibly including from front gardens and ground floor rooms as well as from first floor windows. The currently open

undeveloped view noted beyond The Old Vicarage would be altered as described for the views on the northbound approach on Fringford Road. I consider that the magnitude of change would be likely to be regarded as **medium - high** and adverse.

- In my opinion the significance of visual effect would be **moderate / substantial adverse** at Day 1. On the basis of the present proposals I believe these effects are likely to remain largely unmitigated by Year 10.
- (The "build outs" might be discernible for some views but are unlikely to be prominent.)

Greenacres, west side of B4100 at Home Farm

- This property lies close to the B4100 and has open views across the road and intervening field to the appeal site, approximating to that shown on photograph 3.8. Residents here have been regarded as having medium sensitivity. There would **high** magnitude of adverse visual effect as described for the views from the B4100 at Home Farm above.
- In my opinion the significance of visual effect would be **moderate / substantial adverse** at Day 1. On the basis of the present proposals I believe these effects are likely to remain largely unmitigated by Year 10.

Businesses, west side of B4100 at Home Farm

- The business units are at ground floor level in a courtyard development set behind a wall. I consider that any views of the appeal proposal would only be available as people access their cars in the car park. The receptor sensitivity for people at their place of work is low and the view line is intermittently interrupted by high sided traffic on the B4100. There would thus be **low** magnitude of visual effect that would be adverse.
- In my opinion the significance of visual effect would be **minimal / slight adverse** at Day 1. On the basis of the present proposals I believe these effects are likely to remain largely unmitigated by Year 10.

## 10 Summary and Conclusion

- 10.1 In Section 1 of my proof, I set out my qualifications and experience.
- 10.2 In Section 2 I outline the background to my appointment and application ref 13/01056/OUT "for up to 200 residential units, access, amenity space and associated works including a new village shop /hall". The application was in outline but with access, appearance and layout for determination. It was subsequently agreed that only access should be determined. The application was refused, the two reasons for refusal which my evidence supports also being set out in this part of my proof.
- 10.3 In Section 3 I set out the scope of my evidence and the main documents that I have referred to.
- 10.4 In Section 4 I set out some relevant guidance from the NPPF and refer to the policies referenced in the reasons for refusal in the Cherwell District Council (CDC) Cherwell Local Plan (Adopted 1996) and the Submission Cherwell Local Plan 2006 - 2031 (October 2013). This most recent plan was submitted for examination in January 2014.
- 10.5 In Section 5 I consider the landscape character at the regional, county and local level as well as referencing SPG. In this regard I identify some inconsistencies or oversights in the LVA submitted on behalf of the applicant, noting that it did not reference either the Oxfordshire Wildlife and Landscape Study (OWLS) 2004, or Countryside Design Summary Supplementary Planning Guidance (June 1998). It also appears to have misconstrued the local landscape type in which the site lies.
- 10.6 It can be agreed however that the site lies within the Oxfordshire Estate Farmlands character area in the CDC landscape assessment (1995). The most notable feature of this is considered to be the "*eighteenth century parklands*".
- 10.7 The report identifies four enhancement strategies for the landscape of the district, these are; Conservation, Repair, Restoration and Reconstruction. The appeal site lies in an area identified for Repair, this being the second highest ranking considered in the assessment.
- 10.8 In Section 6 I describe the features of the appeal site and its local setting and context. I highlight the presence of the parkland estate of Caversfield House, a defining characteristic of the local landscape character area immediately to the west of the appeal site and, to the east, the proximity to the RAF Bicester conservation area.

- 10.9 I describe the subtle landform on the site and the surrounding area and the generally limited visibility of the site. I note that there is intervisibility across it which gives a depth and visual interest both to the landscape and local views and the setting of the village and Caversfield House. I note the limited on-site vegetation of landscape and visual significance and describe the offsite vegetation, particularly that at the site's road frontages.
- 10.10 I describe the limited detracting features but note, to the south, the northern edge of Bicester is an unfortunate insidious skyline feature with residential blocks rather starkly profiled behind a thin tree screen, at least in winter. Road lighting on the A4095 adds to this background perception of urban fringe south of the site. I note that this type of effect is also to be anticipated in time with the proposed Bicester Eco-town which would also block the currently open south western prospect the appeal site benefits from. It seems to me that these unattractive features give added value to the landscape of the appeal site and the flanking open countryside to north and south.
- 10.11 I reference the inclusion of the appeal site as a core part of the proposed Caversfield Green Buffer, proposed both to safeguard the setting of Caversfield and the conservation area from the Bicester Eco-town. The Bicester Green buffer report notes the narrowness of the gap being in the order of 300m, this essentially equating to the position in which the appeal site lies.
- 10.12 I conclude section 6 by setting out my consideration of the landscape condition of the local area, which is generally good, and the value of the landscape, which I consider to be high at the local and district level.
- 10.13 In Section 7 I make some comments on what I consider are inadequacies and contradictions in the masterplan. I believe a particular concern relates to the means of access and the implications for the appearance and character of Fringford Road and the adjacent conservation area and the lack of clear detail provided, given that means of access is to be determined. This is an odd oversight. Examination of the originally submitted proposals shows that little frontage vegetation could be kept, contrary to the impression created by the masterplan and DAS. The recently submitted but still "preliminary" amended access proposals would introduce additional urbanising features, more extensive hard surfacing, localised road widening, loss of verges, and might involve further hedgerow loss along Fringford Road.
- 10.14 In Sections 8 and 9 I set out the landscape and visual assessment methodology. I set out the rankings of landscape and visual receptor susceptibility I believe to be appropriate in this instance, together with the sensitivity I consider should apply. I make some observations on the LVA that supported the application, noting general

areas of disagreement. I give consideration to the range of landscape and visual effects that I believe would arise from the appeal proposal.

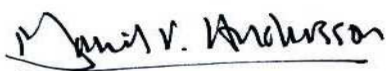
- 10.15 I rank the overall sensitivity of the landscape as **high** at a local and district level. This, together with a **high** magnitude of landscape effect that would arise from the appeal proposal, would give a significance of landscape effect that I consider would be **substantial adverse** at Day 1. I would categorise this as broadly equating to the situation *“where the proposal would cause a very significant deterioration in the landscape resource”* at a local and district scale.
- 10.16 The loss of agricultural land and part of the rural setting to both the village and the parkland of Caversfield House would effectively be permanent. Over time, although new planting, if more appropriate and robust than that suggested by the appellant's LVA together with a substantially reduced footprint of development, might soften the new settlement edge and may help to visually contain the built form, the adverse impacts arising from the introduction of new roads and buildings and their encroachment into the countryside would persist. However, none of this is proposed on the appeal scheme.
- 10.17 Furthermore, the permanent loss of green field land and the creation of an arbitrary line of new settlement and increased built form into this part of the locally valued countryside would always outweigh any landscape benefit that would arise from new planting in the longer term.
- 10.18 I consider that by Year 10, the magnitude of effect would still be **high adverse**. The significance of landscape effect would be unlikely to have reduced, remaining **substantial adverse** at both the local and district scale.
- 10.19 The visual effects of the scheme, though limited in extent are nonetheless significant, being ranked as **substantial adverse** and **moderate /substantial adverse** at Day 1 for several receptors, in particular from the public right of way to the north, and from the appeal site's road frontages. I also consider the effects from the western end of Skimmingdish Lane and two properties in the conservation area would be detrimentally affected, together with harmful effects noted on the northbound approach on Fringford Road and in views from the B4100. Furthermore I do not consider that meaningful mitigation of the effects that I have identified could be achieved by Year 10 on the basis of the submitted masterplan.
- 10.20 In terms of the Green Buffer, my assessment is that the loss of the appeal site to development would render the balance of the proposed Caversfield Green Buffer worthless. It would physically block the "window" of open countryside that radiates out from Bicester between Fringford Road in the east and the B4100 in the west as

well as detrimentally erode the open setting both of the RAF Bicester conservation area and Caversfield House parkland.

10.21 In my opinion, the reasons for refusal are sound and justified in landscape and visual terms.

## 11 Statement of Truthfulness and Professional Endorsement

Pursuant to Planning Inspectorate Procedural Guidance 'Planning Appeals and Called-in Planning Applications' (published 3 October 2013), specifically Annex N, Paragraph N.2.1, I can confirm that the evidence which I have prepared and provide in this Proof of Evidence is true, and has been prepared, and is given in accordance with the guidance of my professional institution (The Landscape Institute). I further confirm that the opinions expressed herein are my true and professional opinions.

A handwritten signature in black ink that reads "David V. Huskisson". The signature is written in a cursive style and is underlined with a single horizontal line.

David Huskisson