



**Land south of Burford
Road, Minster Lovell**

Proof of Evidence of:

Charles Mylchreest

PG DipLA CMLI AIEMA

In respect of:

LANDSCAPE MATTERS

On behalf of:

Catesby Strategic Land

PINS Ref

APP/D3125/W/23/3331279

LPA Ref

22/03240/OUT

Volume I

MAIN TEXT

January 2024

Report Reference

edp7754_r002a

Document Control

DOCUMENT INFORMATION

Client	Catesby Strategic Land
Report Title	Proof of Evidence of Charles Mylchreest in respect of Landscape Matters - Volume I
Document Reference	edp7754_r002a

VERSION INFORMATION

	Author	Formatted	Peer Review	Proofed by/Date
002_DRAFT	CMY	MWi	WGa	
002a	CMY	-	-	SCh 080124

DISCLAIMER TEXT

No part of this report may be copied or reproduced by any means without prior written permission from The Environmental Dimension Partnership Ltd. If you have received this report in error, please destroy all copies in your possession or control and notify The Environmental Dimension Partnership Ltd.

This report (including any enclosures and attachments) has been prepared for the exclusive use and benefit of the commissioning party and solely for the purpose for which it is provided. No other party may use, make use of or rely on the contents of the report.

We do not accept any liability if this report is used for an alternative purpose from which it is intended, nor to any third party in respect of this report.

Opinions and information provided in the report are those of The Environmental Dimension Partnership Ltd using due skill, care and diligence in the preparation of the same and no explicit warranty is provided to their accuracy. It should be noted, and it is expressly stated that no independent verification of any of the documents or information supplied to The Environmental Dimension Partnership Ltd has been made.

Contents

Section 1	Introduction	4
Section 2	Appeal Site and Surrounding Context.....	9
Section 3	The Proposed Development.....	18
Section 4	Planning Policy Context	22
Section 5	Principles of Landscape Assessment.....	28
Section 6	Response to the Reasons for Refusal	29
Section 7	Summary and Conclusions.....	54

APPENDICES

Appendix EDP 1	Illustrative Masterplan
Appendix EDP 2	Landscape Strategy Plan (edp7754_d011b 24 March 2023 JFr/CMY)
Appendix EDP 3	Proof Plan CM 8: Photoviewpoints EDP 1 to 14 (edp7754_d019a 15 January 2023 JFr/CMY)
Appendix EDP 4	Proof Plan CM 9: Winter Photoviewpoints EDP 1 to 14 (edp7754_d021 08 January 2024 GYo/MBe)
Appendix EDP 5	Detailed Viewpoint Assessment

PLANS

Proof Plan CM 1: Site Boundary and Site Location (edp7754_d012 07 December 2023 VMS/CMY)
Proof Plan CM 2: Site Character and Context (edp7754_d013 07 December 2023 VMS/CMY)
Proof Plan CM 3: Relevant Designations and Considerations (edp7754_d014 07 December 2023 VMS/CMY)
Proof Plan CM 4: Topographical Relief (edp7754_d015 07 December 2023 VMS/CMY)
Proof Plan CM 5: Published Landscape Character Assessments (County) (edp7754_d016 07 December 2023 VMS/CMY)
Proof Plan CM 6: Published Landscape Character Assessments (edp7754_d017 07 December 2023 VMS/CMY)
Proof Plan CM 7: Findings of Visual Appraisal (edp7754_d018 07 December 2023 VMS/CMY)

Section 1

Introduction

WITNESS QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Charles Mylchreest. In my role as a Director of EDP, I provide advice as a Chartered landscape architect and environmental planner. My current project portfolio spans major urban extensions throughout the UK, urban regeneration, masterplanning, renewable energy development, strategic site assessment and some work for Local Authority clients.
- 1.2 My qualifications include a BA (Hons) Degree in Landscape Architecture from the University of Gloucestershire and a Postgraduate Diploma in the same subject. I have been a fully Chartered Member of the Landscape Institute (LI) since 2006 and am an Associate Member of the Institute of Environmental Management and Assessment (IEMA).
- 1.3 I possess more than 20 years' experience in professional practice; first as a landscape consultant for Halcrow, and subsequently (from 2005–2011) as a project landscape architect at Derek Lovejoy Partnership in Birmingham. I joined EDP in March 2011, where my role progressed to 'Discipline Lead' for the landscape team (all offices) and my appointment as a Director in 2018. Despite handing over the Discipline Lead role in 2021, I maintain an active involvement in landscape assessment, primarily for larger and more complex schemes.
- 1.4 My portfolio of project involvement includes the management and authoring of numerous landscape and visual assessments and capacity studies, with my primary focus since 2005 being energy and residential projects, including large and small onshore wind farms and single turbines, grid connections and solar developments, and residential and mixed-use developments ranging in scale from single properties up to developments of 7,000 units.
- 1.5 I have provided expert witness inputs on a range of projects, including at Public Inquiry, Informal Hearing and as part of written representation appeals. This includes residential developments of between 30 and 370 units.
- 1.6 EDP is a corporate member of IEMA, and a Registered Practice of the LI, and represents private and public sector clients with land and development interests throughout the UK. Since its formation in 2005, my colleagues and I have been involved in over 1,500 projects across the UK, including many mixed-use urban extensions. The vast majority of our work is obtained on repeat business and recommendation.
- 1.7 The evidence that I have prepared and provide for this inquiry is true and has been prepared and is given in accordance with the guidance of my Professional Institute. I confirm the opinions expressed are my true and professional opinions.

AUTHOR'S KNOWLEDGE OF SITE AND APPEAL CONTEXT

- 1.8 Following instruction in 2022, EDP has provided landscape advice to the appellant from the outset of the design process. The Landscape and Visual Appraisal (LVA) produced as part of the wider planning application (**CD A21**) made in 2022, was undertaken by an experienced Landscape Architect from EDP.
- 1.9 The LVA was prepared alongside, and fed into, the original Constraints and Opportunities Plan (Page 23 of the DAS **CD A14**) and the Illustrative Masterplan (Page 29 of the DAS and provided at **Appendix EDP 1**), which together comprised central aspects of the 2022 planning application. During the design process, EDP also prepared an Illustrative Landscape Strategy for the site (**Appendix EDP 2**), the principles of which were embedded within the Illustrative Masterplan.
- 1.10 I was not involved in the iterative assessment and design process that led to the planning application but was responsible for the peer review of the LVA; this peer review involved ensuring the completeness of the report, rather than reappraising each and every level of change, sensitivity or effect. I did not visit site as part of the review process. I was also involved briefly during the determination of the application, to assist in responding to comments from the Local Planning Authority (LPA).
- 1.11 Based on my own site visits and analysis, I concur with the general conclusions in respect of landscape and visual effects contained within the LVA, although as part of the appeal process, I have had the opportunity to review the proposals (through site visits and documentary review) in much greater detail, and also review the findings of the LVA more fully.
- 1.12 Where this review has revealed differences of opinion relative to the original LVA, I have clarified this at relevant points within this Proof of Evidence (PoE). Similarly, where I have identified that a different approach to mitigation (for example) might be appropriate, I have made this clear.
- 1.13 As a point of clarity, within the last 12 months, the Cotswolds Area of Outstanding Natural Beauty (AONB) has been renamed the Cotswolds National Landscape (CNL). As a result, references to both AONB and CNL may be made when I reference consultation responses or other older documentation. For example, the Officer's Report uses AONB throughout.

REASONS FOR REFUSAL

- 1.14 The outline planning application was submitted to West Oxfordshire District Council (WODC) and validated on 21 November 2022. The application was refused on 21 July 2023, despite being recommended for approval by the Case Officer. There were two Reasons for Refusal (RfR) as detailed in the Decision Notice (**CD C11**), with the second of these relating to the lack of a Section 106 Agreement. The first RfR covers a number of aspects, with those relevant to my evidence highlighted below:

"The proposal does not respect the village character and local distinctiveness as it extends the existing C20 development, which further delineates the historic from the modern."

Cumulatively, it is not limited development. It would not protect the local landscape or setting of Minster Lovell. It would involve the loss of an area of green space that makes an important contribution to the character and appearance of the area and the scheme causes localised landscape harm by urbanising a greenfield site. In addition, the site is divorced from key services and facilities on offer in Minster Lovell with future residents reliant on private vehicles to meet their daily needs. While the development would provide up to 134 dwellings to include 40% affordable homes and 5% self-build plots; economic benefits, a children's play area, open space/recreational route, pedestrian and cycle links, biodiversity net gain, and sustainability measures. The adverse impacts identified would significantly and demonstrably outweigh the benefits. As such, the proposal is considered to be unsustainable development and is contrary to policies H2, OS2, OS4, T1, T3 and EH2 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, and the relevant paragraphs of the National Planning Policy Framework."

INITIAL RESPONSE TO REASONS FOR REFUSAL

1.15 The Appellant has sought to agree through the Landscape specific Statement of Common Ground (LSoCG) that an acceptable level of harm will accrue to certain characteristics of the landscape and visual context. This SoCG also seeks to narrow, and sets out, the areas of disagreement to allow me to produce a more focussed Proof of Evidence (PoE). At the point of exchange, the LSoCG was still being agreed, but my evidence is concerned with what I understand to be the main issues between the parties at this point, that is:

1. The extent to which the appeal site provides an important part of the rural setting to the village of Minster Lovell, and whether, therefore, the appeal proposals would unacceptably impact this in the following respects:
 - a. Whether it would impact the historic character of the village and local distinctiveness; and/or
 - b. The extent to which the site would urbanise this location.
2. Related to the above, whether the proposed development would have an acceptable impact upon the local character and appearance of the area, as opposed to the wider area (with which there seems general agreement). This relates to the higher sensitivity ascribed by the Council compared to the Appellant.
3. The extent of effect upon some viewpoints/receptors is disagreed.
4. The extent to which any effects identified under bullets 1 to 3 would be mitigated through the proposed landscaping or the site's context.

SCOPE OF EVIDENCE

1.16 My evidence addresses the landscape matters embedded in Reason for Refusal (RfR) 1, as set out above. I have read and had regard to the evidence of Mr Divall in respect of Planning Matters. All questions of policy weight and overall planning balance are addressed by Mr Divall.

- 1.17 Whilst I have interpreted planning policy, on the basis of my technical expertise and experience with development plan policy, Mr Divall addresses the extent of accordance with the development plan as a whole and other material considerations in respect of the scheme.

STRUCTURE OF EVIDENCE

- 1.18 My evidence will be structured in seven main parts:

- **Section 1** (this section) sets out my professional qualifications and knowledge of the appeal site and the appeal proposals;
- **Section 2** considers the appeal site and its surroundings;
- **Section 3** summarises the appeal proposals;
- **Section 4** sets out and considers the relevant planning policy;
- In **Section 5** I set out the principles underpinning landscape assessment;
- In **Section 6** I consider the main issues in landscape terms and provide my response to the Reasons for Refusal and the extent of harm; and
- In **Section 7** I provide a summary of the case and my conclusions.

- 1.19 My written evidence (Volume I) is complemented by plans, key viewpoint images and appendices containing selected material drawn from the application documents, reproduced and adapted for the Inquiry, and augmented with some additional photographs, plans and published material of relevance to landscape matters. I have also produced a Volume II Summary Proof of Evidence.

RELEVANT DOCUMENTS

- 1.20 The following documents are relevant and are discussed as appropriate later in my evidence:
- The documents supporting the Outline application, in particular the Arboricultural Assessment (**CD A12**) and the Landscape and Visual Appraisal (LVA) (**CD A21**);
 - The Design and Access Statement (**CD A14**);
 - The Officers Report to Committee (OCR) (**CD C9**);
 - West Oxfordshire District Council Local Plan 2031 (Adopted September 2018) (**CD G1**);
 - West Oxfordshire Design Guide (April 2016) (**CD G3**);
 - West Oxfordshire Landscape Assessment (May 1998) (**CD J1**);

- The Oxfordshire Wildlife and Landscape Study (OWLS) (2004) (**CD J2**); and
- National Character Area Profile 107: Cotswolds (Natural England, 2015) (**CD J3**).

Section 2

Appeal Site and Surrounding Context

2.1 In this section, I consider the appeal site and its context, which I find generally to be adequately described in the LVA, DAS and elsewhere. I do not repeat detailed descriptions at length below but provide a brief 'scene setting' exercise, which is helpful as a precursor to the analysis in the sections which follow. Where I find agreement or disagreement with the submitted LVA, which is relevant to my consideration of the appeal site, I state this below.

THE APPEAL SITE'S ENVIRONMENTAL PLANNING CONTEXT

2.2 The appeal site's environmental planning context is described in the LVA (**CD A21**), paragraphs 3.4 to 3.13. I consider the review to be both complete, and accurate, and the key factors of relevance to my evidence are provided below and illustrated on **Proof Plan CM 3**.

- The appeal site does not lie within a nationally designated landscape, but lies immediately adjacent to the CNL;
- There are a number of listed buildings within the local context, at Asthall Leigh, Little Minster, Minster Lovell, Grove Farm and Asthall;
- Asthall and Minster Lovell are covered by Conservation Areas;
- There are Scheduled Monuments at Minster Lovel Hall, at Asthall Barrow and the Roman Villa at Lower Field Farm;
- There are no statutory or non-statutory ecological designations within the 2km study area;
- There are a number of small areas of ancient woodland nearby, the nearest being part of the woodland block approximately 175m to the south-west of the appeal site. Further areas are evident to the east of Asthall Leigh. Stockley Copse, to the north-west of Asthall Leigh and approximately 2km to the north-north-east of the appeal site, is also a mix of ancient woodland and replanted ancient woodland;
- There is a good network of Public Rights of Way (PRoW) within the local area, as are shown on my **Proof Plan CM 2**. The closest is 302/9/10 to the west, which runs north from Burford Road. None of those nearby are promoted routes;
- National Cycle Route (NCR) 57 runs on a broadly east-west alignment through the study area to the north of the appeal site, passing within approximately 750m of the appeal site at its closest point; and

- There is no registered Access Land within the study area, but there are playing fields/a recreation ground to the north of Ripley Avenue and north-east of the south-eastern part of the site.

THE APPEAL SITE

- 2.3 The appeal site's location and site boundaries are illustrated variously in the application material but for convenience the appeal site boundary is shown on my **Proof Plans CM 1 to CM 9**. The appeal site is described at paragraphs 2.1 to 2.5 of the LVA, which considers the context, topography and vegetation of the appeal site, along with its key landscape features. I concur with the description provided and repeat the key points below:

"The site comprises the whole of two adjacent arable fields, which are separated east and west by a north-south aligned native hedgerow. The land is currently used for intensive cereal production. The boundaries to the site are as follows:

- *The northern boundary comprises a gappy native hedgerow with frequent, in places continuous, hedgerow trees, adjacent to Burford Road. The boundary adjacent to the adjoining Bovis development is not demarcated on the ground;*
- *The eastern boundary comprises a managed native hedgerow adjacent to the Bovis site, and a hedgerow with hedgerow trees adjacent to the existing residential development on Ripley Avenue. The rear garden fences of the Ripley Avenue properties lie to the immediate east of the hedgerow;*
- *The southern boundary comprises a managed native hedgerow with occasional hedgerow trees; and*

The western boundary comprises a mix of native hedgerows of varying heights (including the section of the boundary adjacent to Repeater House), and a short section of post and wire fence alongside the garden of the property (The Lodge) adjacent to the north-west corner of the site.

To the east of the northern part of the site is the Bovis site where new residential development is currently under construction, while to the east of the southern section is the existing residential development on Ripley Avenue. White Hall Farm lies approximately 300m to the south-west of the site, while to the west of the site are the residential properties known as Repeater House, the Lodge, and White Hall Cottages, with two covered reservoirs one further field beyond. There are two small copses to the west/south-west of the site, with more woodland and tree cover to the north within the valley of the River Windrush.

The site lies on a slightly elevated location above the Windrush valley. The topography of the site itself slopes gently from west/north-west to east/south-east. The surrounding topography is generally gently to very gently undulating, but slopes more steeply down on either side of the River Windrush.

- 2.4 Given the appeal site's context and the contentions made in the various responses to the application, there are a number of important points made in the LVA in relation to the existing development, human influences and urbanising features.

“Farmland within the site is actively and intensively managed for the production of cereals and other combinable crops. Nearby fields to the south and west are also mostly used for arable farming, with a number of small pasture fields to the south-east, predominantly related to the curtilages, or immediate surroundings, of private dwellings, which appear to be used for horse grazing. Fields on either side of the River Windrush to the north of Burford Road are pastoral, with then further predominantly arable farmland beyond. Other land uses in the area includes large private gardens, some commercial/industrial enterprises, and a small amount of recreation (e.g., public houses and playing fields).

The main urban influence is that provided by the adjacent village of Minster Lovell (including the under-construction Bovis development), which borders the whole of the site to the east. Newly-constructed properties within the Bovis development, and existing properties on Ripley Avenue (to the east of the southern part of the site) provide the context to the eastern side of the site, while Repeater House, The Lodge, and White Hall Cottages lie immediately to the west.

*The Bovis development, as shown by **Image EDP 2.1**, provides a somewhat stark settlement edge when viewed from both the immediate south (within its related public open space (POS)) and from the west, and Burford Road. There is little in the way of a landscape buffer along these edges, although it is unclear whether planting in the POS has yet to be progressed.*

Other nearby settlements (all relatively small villages) include:

- 1. Asthall Leigh (approximately 1.8km to the north);*
- 2. Crawley (approximately 3.5km to the north-east);*
- 3. Little Minster (approximately 1.1km to the north-east);*
- 4. Curbridge (approximately 2.6km to the south-east);*
- 5. Brize Norton (approximately 2.7km to the south); and*
- 6. Asthall (approximately 1.8km to the west).*

The larger towns of Witney and Carterton lie approximately 1.5km to the east and 2.6km to the south-west respectively.

There is a network of minor (country) roads spread across the local landscape, with Burford Road (the B4047) passing along the northern site boundary, and Brize Norton Road (the B4477) passing north to south through Minster Lovell. Both these B-roads appear to be heavily trafficked. The busy A40 dual carriageway (which links Oxford and Cheltenham) passes on a broadly east-west alignment three fields (approximately 730m) to the south of the site.

RAF Brize Norton, the largest RAF station in the UK, lies to the south of Carterton and Brize Norton, approximately 3km to the south of the site."



Image EDP 2.1: Northern part of the appeal site, as seen from Burford Road. Existing Bovis development is visible beyond the appeal site.

2.5 The proximity of the AONB/CNL is another key factor of the site context, and the LVA helpfully discusses the character of the wider landscape context thus:

- *"Land to the north of the site is mainly under intensive arable cultivation, with pasture and woodland within the valley of the River Windrush and in other areas of steeper ground. Further to the north is a more substantial area of woodland at Stockley Copse/Hens Grove. There are various hamlets and small villages (such as Asthall Leigh), as well as occasional isolated farmsteads and residential properties, and also a disused quarry. The overriding character is actively managed arable farmland with hedgerow field boundaries;*
- *To the east is the settlement of Minster Lovell, including the Bovis site, which is currently under construction immediately to the east. Beyond Minster Lovell is further arable farmland (again with hedgerow field boundaries), and then the western edge of Witney, much of which is industrial development. A large golf course (The Witney Lakes Resort) and then further new residential development lies to the south of the industrial area;*
- *To the south-east lies small pasture fields, then further linear residential development along Brize Norton Road (the B4477). This area, known as the Charterville Allotments (to the north) and Bushey Ground (to the south), includes some of the original Chartist properties (some listed) dating from the planned development of Minster Lovell in the mid-19th century;*

- *To the south and south-west is arable farmland, White Hall Farm, the A40 dual carriageway (predominantly lined by tree belts), and then further arable farmland; and*
- *To the west are the residential properties and closed reservoirs noted above, Burford Road, and a mix of arable and pastoral farmland, the latter being within the floodplain of the River Windrush. There are also a number of individual commercial/industrial premises.”*

2.6 Having visited the appeal site, and reviewed its context (as described above) I would concur entirely with the description given, and it is clear that whilst a site within an open countryside location in policy terms, the appeal site is heavily influenced by both the contemporary development adjacent, and also proximate parts of the wider settlement of Minster Lovell.

2.7 The adjacent road (the B4047) is a relatively busy road which provides an influence across the appeal site and along with the adjacent Bovis development contains the appeal site to the north and east. In other respects the appeal site is relatively unremarkable, and there is not a strong sense that the appeal site lies adjacent to the CNL. A strong belt of trees sits between the B4047 and the AONB (effectively the tree line forms the boundary), which allows few views through, even in winter conditions.

2.8 The Zone of Primary Visibility (ZPV) is illustrated on my **Proof Plan CM 7**, and illustrates the following in terms of the extent of local and wider visibility, as informed by the above site context:

- The adjacent development (to the east) restricts any wider visibility in this direction, and sets a precedent for built development along the B4047;
- The undulating topography (to the north) combines with often strong field boundary and roadside vegetation, tree belts (including those alongside the A40 dual carriageway) and small woodlands/copses to restrict visibility in many views within the local area;
- In this regard, the limited network of PRoW and roads surrounding the appeal site means that views towards the appeal site from publicly accessible locations are similarly limited to the following:
 - The B4047 where open views would be available of the proposals at close range;
 - Close range open views from adjacent settlement areas (including recreation areas) to the east;
 - Open views from individual dwellings to the west; and
 - Filtered views of the proposals from PRoW the north, within the CNL.
- Longer distance views towards the appeal site from the north are rare, limited to very occasional areas of slightly elevated ground such as to the north-east of Swinbrook. However, even in these areas, available views from publicly accessible areas are few and far between.

LANDSCAPE CHARACTER CONTEXT

National Character Assessment

- 2.9 At the national level, the character of England has been described and classified in the National Character Area (NCA) profiles published by Natural England. The appeal site and its surroundings fall within NCA 108 'Upper Thames Clay Vales'.
- 2.10 The NCA covers a broad area and, as such, the key characteristics defined within it are not considered to reliably inform an assessment of the suitability of the proposals in landscape terms. Of much greater use are the more localised, district-specific assessments described below.

Local Landscape Character Assessments

The Oxfordshire Wildlife and Landscape Study

- 2.11 At a county level, the Oxfordshire Wildlife and Landscape Study (OWLS)¹ provides classification of a number of Landscape Character Types (LCTs) and Landscape Character Areas (LCAs) for the area. The appeal site lies within the Estate Farmlands LCT, specifically the CW/1 Carterton LCA. To the north of Burford Road, the land on either side of the Windrush floodplain lies within the Farmland Slopes and Valley Sides LCT, with the floodplain itself lying within the River Meadowlands LCT. Of greater relevance to proposals of the scale proposed is the district assessment, reviewed below, and as referenced in the LSoCG.

West Oxfordshire Landscape Assessment (WOLA) (May 1998)

- 2.12 A review of the landscape character assessment finds that the appeal site is located within Landscape Character Area (LCA) 8: Upper Windrush Valley and more specifically within the 'Open Limestone Wolds' Landscape Character Type (LCT) as described in the WOLA. Relevant extracts from West Oxfordshire Landscape Assessment are provided in Appendix EDP 3 of the LVA (**CD A21**).
- 2.13 As shown on **Proof Plan CM 6**, this LCT covers a large area to the north and south of the appeal site (except for the intervening valley landscape LCT), and is therefore not a particularly rare LCT.
- 2.14 The assessment describes the LCA as a distinctive landform feature, with a distinctly intimate and pastoral character. However, it also suggests that the valley feature contrasts markedly with the open, rolling, limestone hills above. The appeal site sits within this more open area, recognised by the LCT classification.
- 2.15 The key characteristics of the Open Limestone Wolds LCT are described (page 53) as follows (my emphasis added where relevant to the appeal site):
- *"large-scale, smoothly rolling farmland occupying the limestone plateau and dipslope;*

¹ Oxfordshire Wildlife & Landscape Study - Home

- typically large or very large fields, with rectilinear pattern of dry-stone walls (typical of later enclosures and often in poor condition) and weak hedgerows, with frequent gaps and very few trees;
- productive farmland predominantly under intensive arable cultivation;
- thin, well-drained calcareous soils and sparse natural vegetation cover and a somewhat impoverished 'upland' character;
- very open and exposed character;
- *distinctive elevated and expansive character in higher areas, with dominant sky and sweeping views across surrounding areas; and*
- *high intervisibility."*

2.16 Aside from a number of the characteristics relating to expansive views and high intervisibility, the appeal site is broadly consistent with the Key Characteristics. The settlement areas and vegetated B4047 reduce the extent of wider openness, but the appeal site is open and partially exposed to the south.

2.17 Minster Lovell is recognised as one of the smaller villages outside the main settlements of Burford and Witney. It is recognised that whilst historically 'valley settlements', both Witney and Minster Lovell have extended outside their original valley context. The key wording states (page 54):

"Other settlements have grown out of their traditional valley setting. For example, the Victorian settlement of Charterville was located incongruously on the high limestone land above Minster Lovell, while the modern expansion of Witney has similarly taken the town beyond its 'natural' valley setting onto the higher, more exposed ground of the wolds."

2.18 It is clear that since the development of the Charterville village, the village of Minster Lovell has grown around this, particularly to the north between the Charterville settlement and Burford Road.

2.19 The assessment concludes (page 55) that "Overall, the Upper Windrush Valley has a highly attractive and remarkably unspoilt, rural character but with some localised variations in quality and condition which require different strategies for management and enhancement (see Figure 6)".

2.20 Figure 6 shows the appeal site to be within an area classified as 'Strengthen B'. Strengthen landscapes are those which "have a positive rural character, attractive qualities and where character, landscape structure and sense of pace are still comparatively strong, but which are not 'special' or distinctive to quite the same degree as those in the above [Conserve] category". The 'B' infers that "more significant strengthening is required to restore landscape structure and features that have been weakened by intensive farming practices."

2.21 Relevant key issues for the Upper Windrush Valley LCA are noted (page 55) as:

- *“the expansion of settlements into open countryside;*
- *a 'suburbanisation' of rural settlements and roads; and*
- *the visual intrusion of unsightly development and poor management of fringe areas (e.g. West of Witney).”*

2.22 Relevant enhancement priorities for the Limestone Wold landscapes (page 56) are noted as:

- *“retain and replant hedgerows and hedgerow trees, using native species typical of the limestone (e.g. ash, field maple etc.).”*

2.23 Development sensitivities are noted as follows (page 56):

- *“elevated, open limestone wold landscapes are very visually exposed and particularly sensitive to development;*
- *elevated, semi-enclosed limestone wolds landscapes are also visually sensitive and any development would need to be closely integrated with existing buildings or within a strong landscape structure; and*
- *tall structures, such as communications masts and large buildings, would be particularly prominent in these elevated landscapes.”*

2.24 The description within the assessment I consider to be broadly representative of current appeal site conditions; however, I also note a number of areas where the assessment fails to acknowledge properly the appeal site context, or where the appeal proposals would be able to address issues identified:

- The LCA does not reflect the current urbanising influences of settlement areas, and particularly the growing scale of Minster Lovell. This is not surprising given the age of the Landscape Assessment (2008 and pre-development of the Bovis site) but is an important facet of the site's context in relation to future development of the appeal site;
- The proposals would provide significant new hedgerow and hedgerow tree planting, with the use of native species able to be controlled at reserved matters stage. This in turn would provide strengthened boundaries and consistency of boundary treatments;
- In terms of development sensitivities, the ZPV and photoviewpoints illustrate that the appeal site is not *“very visually exposed”*, and therefore of lower visual sensitivity. In addition, development would be *“closely integrated with existing buildings”* and also *“within a strong landscape structure”*, as suggested; and
- Whilst the key issues for the LCA (rather than the more detailed LCT) consider urbanisation of the countryside, the expansion of settlements and visual intrusion of unsightly development as factors that threaten landscape quality, I consider the proposals could be brought forward without being unsightly, or without resulting in unacceptable urbanisation (accepting that some urbanisation is unavoidable).

Other Landscape Character

- 2.25 Although not within the CNL, the appeal site is within its setting. The RfR does not include impacts on the CNL or its setting; I therefore don't consider this matter further (it is also subject to comment in the Draft LSoCG).

LANDSCAPE DESIGNATIONS

- 2.26 Landscape-related designations and policy considerations within 3km of the appeal site are shown on **Proof Plan CM 3**. In summary:
- The appeal site is not located within any national or local landscape designations; and
 - The appeal site is within the setting of the CNL (formerly the AONB), with the boundary on the opposite side of the B4047/Burford Road.
- 2.27 Being within the setting of the CNL infers a potentially higher level of sensitivity and protection, however, it is common ground that there are no unacceptable impacts on the AONB. It is also agreed as part of the LSoCG, and confirmed within the Council's SoC, that the appeal site is not a Valued Landscape as per Framework paragraph 180(a).

THE APPEAL SITE'S WIDER LANDSCAPE CONTEXT

- 2.28 The key point regarding the wider landscape context is the presence of the CNL to the north of Burford Road. This nationally designated landscape is highly sensitive, and I agree with the Council that the appeal site is within the setting to this CNL, which infers policy protection at the national and local level. Just being within the setting does not mean that impacts will arise, and this is a matter covered in the draft LSoCG in terms of agreeing the lack of unacceptable harm.
- 2.29 Also of considerable relevance is the changing context of the locality, with the recently completed development adjacent to the appeal site. This not only provides a perceptual influence on the appeal site, it also demonstrates that development in principle can be accommodated in this general location. I discuss this more below.

Section 3

The Proposed Development

- 3.1 Having defined the landscape and visual context in the previous section, in this section I review the appeal proposals and the evolution of the layout design insofar as it relates to landscape and visual matters. I also review the landscape strategy provided as part of the outline application. The application is in outline with all matters reserved save for the means of accessing the appeal site. Accordingly, design matters do not fall for consideration now. Nevertheless, I consider how the illustrative layouts and landscaping strategy would respond positively to the appeal site's characteristics and the published assessments reviewed in the previous section.

DESIGN AND LOCATIONAL FACTORS

Design Approach

- 3.2 Overall, I consider that that the proposals accommodate the landscape and visual sensitivities of the appeal site and local area within the design, and aside from the inevitable consequences of developing in green field locations, I regard the design response both proportionate and effective. I have set out below the principal 'macro' and 'detailed' considerations that lead me to this conclusion. There were no reasons to alter the design during the appeal stage.
- 3.3 At the macro scale, the appeal site is undesignated, either nationally or locally, but does sit within the setting of the CNL. It is located adjacent to a newly completed residential development, and close to other urban, or semi-urban uses related to Minster Lovell. It is therefore heavily influenced by these land uses, albeit it sits adjacent to open countryside to the south, and partially, to the west.
- 3.4 At the more detailed level, a detailed analysis of technical constraints was undertaken during the evolution of the proposals, with this reported and summarised within the DAS at Section 3 Design Evolution. This analysis covers all the various technical areas (including landscape and visual), with the results illustrated on the Constraints and Opportunities Plan on page 23. From a landscape perspective I consider the key constraints/issues are accurately represented – these are relatively limited, but include the proximity of the AONB, existing landscape features and the presence of residential receptors.
- 3.5 These features (and other non-landscape related issues) were adopted within the Concept Plan out on page 27 of the DAS and taken forward through the design evolution in the creation of the preferred masterplan design solution.

THE DEVELOPMENT OF THE LANDSCAPE STRATEGY

- 3.6 Based upon the design principles outlined above, the landscape strategy was further developed, as presented on the plan at **Appendix EDP 2**. Having read the LVA, and other

supporting documentation, the key principles of the landscape strategy are (as devised from the LVA):

- Existing vegetation at the appeal site boundaries and within the appeal site would be retained, with existing gaps in boundary vegetation used for access arrangements wherever possible;
- Any small losses of vegetation would be overcompensated for by proposed planting across the appeal site, as shown on the Landscape Strategy plan at **Appendix EDP 2**. As confirmed in the Ecological Appraisal, the appeal site would deliver a net biodiversity gain, in line with planning policy;
- Retained vegetation along the eastern appeal site boundary (adjacent to Ripley Avenue), the southern boundary, and the western boundary (adjacent to Repeater House and The Lodge) would be enhanced through additional tree and hedge planting;
- The southern boundary would be planted with a new native hedgerow with trees;
- The western boundary would include substantial structural planting to separate the proposed built form from existing residential properties on the western edge of the appeal site;
- Planting along the northern boundary adjacent to Burford Road will be reinforced (where the water main wayleave requirements allow) to maximise screening and filtering of views from the AONB;
- Green corridors would be provided between the proposed development areas and the appeal site boundaries on all sides, and also where utility wayleaves prevent development, pulling development back from the appeal site boundaries, and maintaining the building line established by the Bovis development and the houses on Ripley Avenue to the east;
- In addition, a substantial area of public open space would be provided in the south-eastern part of the appeal site, providing a multifunctional green space with the following features:
 - A formal area of children's play located to the east of the south-eastern development area, accessible for both new residents and existing residents of the Bovis development and the rest of Minster Lovell;
 - A Sustainable drainage systems (SuDS) attenuation basin in the south-east corner of the appeal site which would also provide additional amphibian habitat and other ecological and social interest. The specific design of this is not yet defined; and
 - Extensive tree and shrub planting, both to aid visual screening in views from the south and south-east (the Charterville Allotments) and provide valuable biodiversity benefits.

- Structural planting within all of the green spaces would help to reduce the visibility of the Proposed Development in local views towards the appeal site, and to soften the appearance of built form where new development remains visible;
- All of the proposed green spaces would also include recreational routes accessible to new and existing residents, and are intended to be naturalistic, providing enhanced biodiversity, visual amenity, play spaces, and informal recreation for all ages;
- Increased public access to open space will provide opportunities for play and informal recreation and relaxation – for both existing and new residents (it is notable that the Bovis development provides only limited usable POS); and
- Creation of a strong landscaped western edge to the village will improve the way in which both the Proposed Development and the existing Bovis development ‘sit’ within their landscape context.

3.7 As set out in the LVA (Section 6) the landscape strategy also takes account of the published landscape character assessment and the requirements therein.

3.8 In this respect, the WOLA identifies key issues, enhancement priorities, development sensitivities for the different LCAs, as set out earlier in my evidence. The Cotswold AONB Landscape Strategy and Guidelines similarly identifies sensitivities and forces for change for the AONB LCAs, as well as providing landscape strategies and guidelines.

3.9 Considering non host LCTs, the landscape strategies and guidelines for LCT16 Broad Floodplain Valley (which incorporates LCA16A Lower Windrush Valley) to the north of the appeal site (within the AONB) include:

- *“Ensure that new development does not adversely affect the wider rural landscape and views to and from the AONB;*
- *Layout of development should respect local built character and avoid cramming up to boundaries resulting in hard suburban style edge to the settlement;*
- *Retain existing trees, hedges, dry stone walls etc as part of the scheme for green infrastructure and to reflect historic field patterns etc.; and*
- *Ensure new development is visually integrated into its surroundings and does not interrupt the setting of existing settlements. or views along the valley. Break up harsh edges of new development with appropriate and adequate tree planting ideally in advance of the development taking place.”*

3.10 The OCR makes reference to paragraph 130 of the NPPF (at para 5.20), which I consider provides a useful reference to consider how the scheme performs in respect of the key sensitivities and design aspirations. Reflecting the highlighted statements/requirements below, I find the scheme (as set out above) adheres to these.

“Paragraph 130 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture,

layout and appropriate and effective landscaping; are sympathetic to local character and history including the surrounding built environment and landscape setting and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users.”

- 3.11 Based upon the above considerations of the appeal proposals and the context within which they sit, and the approach taken to both mitigate potential effects and maximise opportunities for a landscape-led approach, I consider the proposals are excellently conceived and offer genuine opportunities to provide a betterment to the village, both in terms of built form and landscaping.
- 3.12 The OCR doesn't provide a detailed review of the landscaping scheme, but appears to confirm their acceptability at 5.9 as follows:

“5.9 Officers consider that the scale and design complies with Policy OS4 of the West Oxfordshire Local Plan 2031 which states that new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and where possible, enhance the character and quality of the soundings. Section 12(130 b) of the NPPF also states that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping to which the proposed complies with.”

Section 4 Planning Policy Context

POLICY CONTEXT

- 4.1 National and local landscape policy of relevance to the appeal site is contained within the NPPF and the West Oxfordshire Local Plan 2011–2031 (2018). The relevant policies for landscape matters are reviewed below.

National Policy Context

- 4.2 The NPPF, updated in December 2023, includes planning policies and guidance requiring developers to respond to the natural environment and landscape character, integrating the development into its local surroundings.
- 4.3 Like its predecessor (prior to 2023), the new Framework continues to identify a hierarchy of landscapes – albeit not in express terms – with differing values in the planning balance.
- 4.4 At the ‘lower end’ of the hierarchy, all landscapes have intrinsic character, beauty – and therefore social value – which the planning system should ‘recognise’ (paragraph 180 (b)).
- 4.5 The Council confirmed within their SoC, and it is an agreed position in the LSoCG, that the appeal does not form part of a Valued Landscape, as ascribed in the Framework paragraph 180 (a). Similarly, I do not consider the appeal site to be valued to this extent and consider that the appeal site falls under the auspices of paragraph 180 (b) and, therefore, the intrinsic character and beauty of the countryside should be ‘recognised’ rather than ‘protected and enhanced’.

Local Policy Context

- 4.6 As part of my evidence, I have conducted a review of relevant planning policy and landscape designations to help identify what ‘value’ the local authority places on the landscape and what value it has in planning terms. This review draws on the contents of the LVA and focuses on local plan policy since such policy is: (a) more specific to the appeal site; and (b) reflects the advice of regional and national advice regarding landscape issues.

West Oxfordshire Local Plan 2011–2031 (September 2018)

- 4.7 The West Oxfordshire Local Plan 2011–2031 was adopted in 2018 and it remains the adopted plan. For completeness, the relevant policies are outlined below – those referenced within the RfR (and therefore with which there is a contended conflict) are emboldened.

- **Policy OS2: Locating Development in the Right Places;**
- Policy OS3: Prudent use of Natural Resources;
- **Policy OS4: High Quality Design;**
- **Policy EH2: Landscape Character;**

- Policy EH4: Public Realm and Green Infrastructure;
- Policy EH8: Environmental Protection; and
- Policy WIT6: Witney Sub-Area Strategy.

West Oxfordshire Design Guide (April 2016)

- 4.8 The West Oxfordshire Design Guide (**CD G3**) is a Supplementary Planning Document (SPD) referenced in the Council's SoC and in the RfR, whose purpose is defined as follows:

"The purpose of the West Oxfordshire Design Guide is to describe the qualities and characteristics that make West Oxfordshire special – its landscapes, settlements and buildings – and to describe ways in which good design can protect and enrich the character of the District."

- 4.9 In terms of its use as a planning tool, the relevant introductory paragraph is as follows:

"The Design Guide is intended to provide information to a wide range of potential users, including communities, home- and business- owners, developers and agents, planning officers and local Members; to all those involved with potential change to the landscapes, settlements and buildings of the District."

- 4.10 The guide contains a lot of advice regarding the detailed design of developments and will therefore be of most use at Reserved Matters Stage. Of particular note are certain sections between 11.5 and 11.16, which sets out a number of useful considerations, including those concerning Character, Existing Site Context, Connections and Streets, Housing and Buildings, Services and Facilities, Landscape and Open Space, Biodiversity and Green Infrastructure, EIAs, Car Parking and Storage, Strategic Development Areas and Design Codes. There are also specific references to Minster Lovell as a settlement (as referenced within the OCR at paragraph 5.23).

LANDSCAPE SENSITIVITY

- 4.11 Understanding the sensitivity of the appeal site and its immediate context is an essential step in understanding the level of harm that might arise as a result of the appeal proposals. My consideration below follows the same methodology as the LVA, which as agreed in the LSoCG is accepted as an acceptable methodological approach.
- 4.12 The sensitivity of the appeal site and its context is described in the LVA at paragraphs 4.55 to 4.58. When making such judgements on sensitivity, the LVA correctly considers the value and susceptibility as independent metrics before ascribing an overall sensitivity. The LVA defines the overall sensitivity of the appeal site and local context as medium, with a higher sensitivity appropriate for other parts of LCA8 Upper Windrush Valley (between medium and very high).
- 4.13 This level of sensitivity of the appeal site arises from a combination of the landscape value and the susceptibility to the type of change proposed. The susceptibility factors are reviewed in the LVA at paragraphs 4.46 to 4.48, and of particular note are the following:

- The adjacency of the appeal site to the neighbouring recently completed residential development, and the influence this exerts over the appeal site, and for those passing through the local area;
- The resulting transitional nature of the appeal site on the urban edge, and the influence this exerts on the perception of the appeal site as part of the ‘open countryside’;
- The juxtaposition of the remaining areas of Minster Lovell and the fact that Minster Lovell has already extended out of the valley into this part of the surrounding landscape (rather than, for example, other parts of the surrounding landscape); and
- The historic, and more recent, growth of Minster Lovell to first, infill areas between the B4047 and Brize Norton Road, and then more latterly to extend settlement along the B4047. The appeal proposals would reflect this growth pattern.

4.14 To provide clarity on my own position, I consider the value of the appeal site and its immediate context in greater detail below. This exercise was also undertaken within the LVA, but I have undertaken my own appraisal based upon documentary review and fieldwork.

4.15 GLVIA 3 (**CD J4**) and the 2021 LI Technical Note TGN 02-21 (**CD J5**) assist in delivering a framework for an objective landscape assessment of value. In undertaking this appraisal, Box 5.1 on page 84 of GLVIA 3 and Table 1 of TGN 02-21 identify criteria relevant to the judgements about landscape value – for my own appraisal I have used the criteria from the Technical Note, this being an evolution of the GLVIA criteria. These criteria are reproduced in **Table EDP 4.1**, with my observations alongside, based on published material and from my own field assessment.

4.16 For each of the nine criteria, I judge the appeal site and its immediate context on the basis of a range from ‘good’, through ‘ordinary’ to ‘poor’ in terms of the performance against these criteria. These terms are not defined within any set methodology, but are relative, and based upon my own opinions as informed by published documentation and fieldwork.

Table EDP 4.1: GLVIA Box 5.1/TGN Value Consideration of Site and Immediate Context

GLVIA/TGN Criteria	Author’s Observations
Natural Heritage: Landscape with clear evidence of ecological, geological, geomorphological or physiographic interest, which contribute positively to the landscape.	Ordinary/Good. The appeal site is noted in the ecological appraisal of being of limited ecological value in the main, with higher value to the hedgerows. As a field parcel within a wider expanse of intensive arable agricultural land adjacent to the settlement of Minster Lovell, there is little evidence of features of value, therefore this definition is unsurprising. The landscape to the north of the B4047 is of higher quality and value, but is perceptually separated from the appeal site by the road and vegetation.
Cultural Heritage: Landscape with clear evidence of archaeological, historical or	Ordinary. As detailed within the evidence of Ms Stoten, the appeal site, ‘which comprises arable fields beyond the Chartist settlement area and largely separated from it by modern housing, does not contribute to the

GLVIA/TGN Criteria	Author's Observations
cultural interest, which contribute positively to the landscape.	heritage significance of the MLNDHA through setting. Its intrinsic character does not contribute and it does not better reveal the significance of the asset through views to it or from it. The proposed development will cause no harm to the heritage significance of the asset through setting.' Nor does it contribute to the significance of the Minster Lovell Conservation Area, and whilst the Geophysics records some evidence of archaeological remains, these are not scheduled. .
Landscape Condition: Landscape which is in a good physical state both with regard to individual elements and overall landscape structure.	Ordinary. A number of appeal site features appear in poor and declining condition (e.g. some of the boundary trees). The boundary features are, however, in good condition, and the agricultural land has little landscape value aside from being characteristic of the agricultural context in which it sits, and as described within the host LCT description.
Associations: Some landscapes are associated with particular people such as artists or writers, or events in history that contribute to perceptions of natural beauty in the area.	Ordinary. The appeal site has no known associations, aside from being on the rural hinterland (but definitively outside of) the Chartist settlement in Minster Lovell. This does not infer a constraint to development, as demonstrated by the recently completed development adjacent to the appeal site.
Distinctiveness: Landscape that has a strong sense of identity.	Ordinary . The appeal site is indistinct as a parcel of partially open and exposed agricultural land, and is typical of the host LCT. There is a greater distinctiveness to the north, within the CNL, but the appeal site is visually and perceptually separate from this. Although within the setting of the AONB (which might infer a higher value), it is common ground that there would be no impacts upon the AONB. This suggests there is no distinctiveness derived from being in the setting.
Recreational: Landscape offering recreational opportunities where experience of landscape is important.	Poor. The appeal site contains no PRoW or other public access, and there is no recreational value to the appeal site as a result. Within the immediate surroundings, and as shown on Proof Plan CM 2 , there is a limited network of PRoW, with the nearest being c.0.5km to the north, within the River Windrush valley. The nearest areas of POS are within Minster Lovell and the new Bovis development to the east.
Perceptual (scenic): Landscape that appeals to the senses, primarily the visual sense.	Ordinary/Good. The appeal site is a very typical agricultural field parcel on the edge of a (growing) settlement, with some characteristic attributes and qualities. It is within the setting of the CNL but does not derive any scenic qualities as a result of this (as noted above under 'distinctiveness').

GLVIA/TGN Criteria	Author's Observations
	The immediate landscape to the south is of the same character, whilst to the north, beyond the B4047, there is a greater scenic quality within the valley landscape within the AONB.
Perceptual (wildness and tranquillity): Landscape with a strong perceptual value notably wildness, tranquillity and/or dark skies.	Ordinary/Poor. Given the proximity of the appeal site to the new settlement edge, and its disassociation with the CNL, there is no strong perceptual quality to the appeal site. Indeed, this is impacted by the adjacency of modern development, and the B4047.
Functional: Landscape which performs a clearly identifiable and valuable function, particularly in the healthy functioning of the landscape.	Ordinary. The appeal site is arable agricultural land, and common in this regard. This character extends to the south to the A40 and beyond. To the north the valley intersects a wider area of agricultural land, as reflected by the landscape character illustrated on Proof Plans CM 5 and 6.

- 4.17 Having assessed the appeal site in accordance with GLVIA 3 and TGN 02-21, I consider that the appeal site, overall, is of no more than 'ordinary' landscape value when considered in the round; this is the same finding that was reached within the LVA. Moreover, there exists, to my knowledge, no evidence to suggest that further weight should be attached to the value of the appeal site derived from the use or enjoyment of this area by local residents (beyond that considered above) or as expressed by any other stakeholder.
- 4.18 I find that the appeal site does not demonstrate the presence of a sufficient number of indicators of landscape value, nor does it have a single indicator of such importance to elevate it above other more everyday landscapes. This includes the fact that the appeal site forms part of the setting to the CNL. I therefore concur with the medium value, and overall medium sensitivity, as ascribed within the LVA. This sensitivity is common ground, as established within the LSoCG.
- 4.19 For the wider LCA to the north, within the CNL, I consider there to be a higher inherent sensitivity, based upon not only its designatory status, but also the prevailing landscape character. The river valley, and its more dramatic topography, is more pastoral and aesthetic than the more open exposed character of the appeal site. The wider landscape to the south and west is similar to the appeal site, and exhibits a similar level of sensitivity.

SUMMARY OF CHARACTER SENSITIVITY AND STATUS

- 4.20 I find the main character and valuable fabric of the appeal site to be found along the hedgerow boundaries, which include a limited number of mature trees, with some larger trees on the northern boundary to the B4047.
- 4.21 From a sensory perspective, the appeal site is consistent with its near, and more distant, context, being relatively unremarkable within the landscape and experiencing a strong edge of settlement character due to its adjacency to the recently completed Bovis scheme, and wider afield, the settlement of Minster Lovell. I don't consider it forms a prominent, or important, part of the appreciation of the wider landscape, and is perceived as open

agricultural land in close proximity to existing residential properties and the urban context of Minster Lovell.

Section 5

Principles of Landscape Assessment

ASSESSING LANDSCAPE CHANGE – SOME FUNDAMENTALS

- 5.1 All development on ‘green field’ land, such as the appeal site, involves considerable change. All too often change is assessed predominantly (or even exclusively) in terms of ‘what we see’, focusing on loss of openness and change to visual character, which is presumed harmful where development replaces open space. I accept that there will be both loss of openness and some change to visual character (and correspondingly, harm to those dimensions of landscape).
- 5.2 The concept of ‘landscape’, however, embraces much more than its openness and appearance. The European Landscape Convention (ELC), to which the UK is a signatory, defines landscape thus:
- “Landscape is an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors”.*
- 5.3 The Guidelines for Landscape and Visual Impact Assessment, Version 3 (GLVIA3) (**CD J4**), paragraph 2.4, reminds us that the importance of the ELC definition is that it:
- “...moves beyond the idea that landscape is only a matter of aesthetics and visual amenity”.*
- 5.4 Landscape assessment requires that proposed changes are assessed holistically in two important respects:
- First, in terms of all dimensions of the landscape resource. Those other dimensions include whether the appeal site has historical or cultural relevance, its habitats, its landscape fabric and its long-term management. Frequently we find that loss of openness and change to visual character are counterbalanced by neutral or even positive impacts on other dimensions of the landscape resource (such as enhancements to biodiversity, or mitigation of existing landscape detractors); and
 - Second, by recognising that the landscape is not just the open land beyond the settlement boundary (on which published landscape character assessments usually focus) but includes the settlements themselves. This affects the assessment of whether the ‘change’ brought about by a development proposal is appropriate with regards to the landscape and/or settlement edge context.
- 5.5 These matters are relevant to the assessments made later in my evidence.

Section 6

Response to the Reasons for Refusal

- 6.1 Having considered key baseline issues, I now address the main issues identified in **Section 1** in respect of the RfR and the Council's SoC, and the agreements set out within the LSoCG (**CD E6**).

WHAT IS ALLEGED?

- 6.2 Based upon the assertions made within the RfR (**CD C11**) and the Council's SoC (primarily at paragraphs 3.10, 3.22 and 4.4) – and as refined through the process of agreeing the draft LSoCG (**CD E6**) – it is necessary for me to consider how development on the appeal site might impact the character of the local context, and the townscape and settlement setting of Minster Lovell. These are those areas where I consider disagreements still exist, and I address these below under the following sub-sections:
1. Whether the appeal site provides an important part of the rural setting to the village of Minster Lovell, and whether, therefore, the appeal proposals would unacceptably impact this.
 2. Related to the above, whether the proposed development would have an acceptable impact upon the local character and appearance and visual amenity of the area, as opposed to the wider area.
 3. The extent to which any effects identified under bullets 1 and 2 would be mitigated through the proposed landscaping or the site's context.

THE SETTING TO MINSTER LOVELL

- 6.3 The RfR (**CD C11**) and Council's SOC (**CD E14**) contend that the appeal proposals result in unacceptable impacts upon a parcel of land which is considered to contribute positively to the setting of Minster Lovell. I consider this below.

The Setting of Minster Lovell

- 6.4 RfR1 and the Council's SoC both cite the development's potential impact upon the setting of the village. Whilst the general landscape and visual impacts are addressed herein and within the LVA (**CD A21**), the specific issue of setting (such as it is applicable to the appeal site) has not. References to landscape setting (as opposed to heritage setting, which is addressed by Ms Stoten), are contained in the OCR (**CD C9**) in a number of places, but I consider the following excerpt from the Council's SoC provides a useful summation of the issue (my emphasis added of particularly relevant points):

"9.12 The LPA will further argue that in building on an important part of the rural setting of the historic rural village of Minster Lovell (Charterville), the proposal would involve the loss of an important green open space that has become more important following the building

out of the Bovis site; and that this has already extended non-historic [20th and 21st century] development further to the west and further from the historic centre of the village, with its north-south linear character that is so apparent along Brize Norton Road, whereas [particularly as experienced by passing visitors travelling along Burford Road] its character is already very significantly informed by development in depth to the west of Brize Norton Road."

- 6.5 It is important to recognise that the 'setting' of Minster Lovell is not defined within any published document (such as the Conservation Area Appraisal or Landscape Character Assessment) or indeed any other documentation or planning policy (such as a specific policy or within a Village Design Statement) that I am aware of. Whilst this is not unusual, it does require me to make my own assessment of setting insofar as it relates to the appeal site. I do this below with reference to four main considerations; the visual setting, spatial setting, arrival/departure and historic/evolutionary context.
- 6.6 **Visual setting:** Visual setting is relevant insofar as it dictates how the settlement is perceived from both within the settlement and the landscape which surrounds it. As demonstrated by the range of Photoviewpoints (particularly **PVPs EDP 1, 4, 6, 7 and 11**) (see **Appendices EDP 3 and 4**), and my visual appraisal above, the appeal site is visible from the local area, but only from limited receptors in close proximity due to intervening landscape features and the wider settlement. Where it is visible (e.g., from Burford Road, adjacent settlement areas and local areas of POS) I don't consider the appeal site forms an important or prominent part of the wider landscape context.
- 6.7 The appeal site appears simply as an agricultural parcel of land on the edge of the village when approaching from the west along Burford Road – it is not overly visible given the vegetation along the northern appeal site boundary, and when it comes into view the Bovis development is already a visible feature of the view. When approaching the appeal site from the east along the B4047 (i.e., from Minster Lovell), again the appeal site is visible as an open field on the edge of the village, and only comes into view after the Bovis development. In this regard, development of the appeal site would merely extend the built development along the road for a few seconds for those driving along the road.
- 6.8 When viewed from within the village, the appeal site is only really apparent in views from neighbouring residential properties, such as those indicated as areas 1 to 5 on **Proof Plan CM 7**. These are predominantly private viewpoints, from within an urban context, so are reduced in importance as a result.
- 6.9 Importantly, there are very few, if any, areas from wider afield where the appeal site is visible as any kind of 'fringe' or green buffer to either the new, or more historic, parts of the village. Impacts therefore are limited to the appeal site's immediate vicinity, which is already visually influenced by the Bovis development and to a lesser degree, the more historic settlement.
- 6.10 In considering if this makes the appeal site 'special' in any way, this character would be true for all areas of open countryside beyond settlement boundaries, and therefore derives little importance. It is not special or unique in this regard, and would be changed to a limited degree as a green approach from the west along Burford Road.

- 6.11 **Spatial setting:** As discussed above and illustrated on **Proof Plans CM 2** and **CM 7**, the appeal site is extremely well-related to the existing settlement, being adjacent to the settlement boundary to the east. For the remaining boundaries, the appeal site sits adjacent to open countryside, with some isolated dwellings present along the western boundary.
- 6.12 Spatially, therefore, the appeal site is well-related to the settlement, but equally, sits somewhat divorced, extending the settlement along Burford Road. As noted above, although this is the case, the extent of impact to this element of setting is reduced by the appeal site's unremarkable character, in addition to the fact that Minster Lovell has grown in this manner historically, first in the case of the area of 20th century development between the Bovis development and Brize Norton Road, and more recently with the Bovis development itself.
- 6.13 Ultimately, if this part of the settlement's context were thought to be of such importance spatially that development would unacceptably erode this, then previous development growth would presumably have been refused for this reason.
- 6.14 The Council's SoC makes the point that the appeal site *"has become more important following the building out of the Bovis site"*, but doesn't provide further detail as to why this is so. My own view is that whilst one could argue that cumulatively the two development areas impact upon increasing areas of green space on the edge of the settlement, for this impact to be substantially worse than the Bovis development in isolation, it would need to demonstrate some form of notable or elevated importance, which as I set out above in my consideration of value, it does not.
- 6.15 **Arrival/departure:** In some circumstances, a piece of land may be relatively inconspicuous and/or innocuous in respect of the above factors, but might affect the first impression of a settlement on arrival. The appeal site is evidently juxtaposed to the main road into the village, Burford Road, and comes into view very shortly before views of the Bovis scheme become available – indeed, I found that most views across the appeal site from Burford Road would include the existing Bovis scheme. Illustrated on **Image EDP 6.1** are the points at which the appeal site comes into view from Burford Road – the orange dots represent the points at which the trees on the northern appeal site boundary first come into view, with the green dots showing where the actual field comes into view. The distance between the green points is c.613m and the orange points c.378m, with the appeal site boundary forming 284m of this.



Image EDP 6.1: Approximate locations from where the appeal site comes into view when travelling along Burford Road.

- 6.16 The above plan shows the short distances (beyond the appeal site boundary) from where the appeal site is visible, and therefore the limited degree to which it contributes to the arrival/departure from the village. The appeal site does not provide a notable arrival point when approaching from the west along this road but does provide an open area of agricultural land on the village edge for a very short time.
- 6.17 When approaching the appeal site from the east, exiting the village, the appeal site comes into view when passing the Bovis development and is heavily influenced by this development.
- 6.18 Ultimately, whilst the appeal site is openly visible from a short length of Burford Road, I don't consider it is in any way prominent or unique in this respect. I therefore consider the appeal site contributes to the arrival or departure for receptors in only a very limited way.
- 6.19 **Historic/evolutionary setting:** Historic matters are dealt with principally by Ms Stoten (**CD E12**), so I only provide my consideration of related landscape facets here. The main contention is that the nucleated form of the development detracts from the historic linear character of the wider settlement. I respond to this below.
- 6.20 As illustrated at page 12 of the DAS (**CD A14**) (reproduced as **Image EDP 6.2** below) the northern parts of the settlement have changed extensively through the 20th century to revert away from the linear form. The area of settlement north of Ripley Avenue, up to Burford Road, has infilled a roughly triangular area between Burford Road and Brize Norton Road. It is true that south of Ripley Avenue, the character of the settlement has remained more

consistent, but even within this area development at depth has become more common. The images below illustrate this growth of the settlement from pre-1830 to 2022.

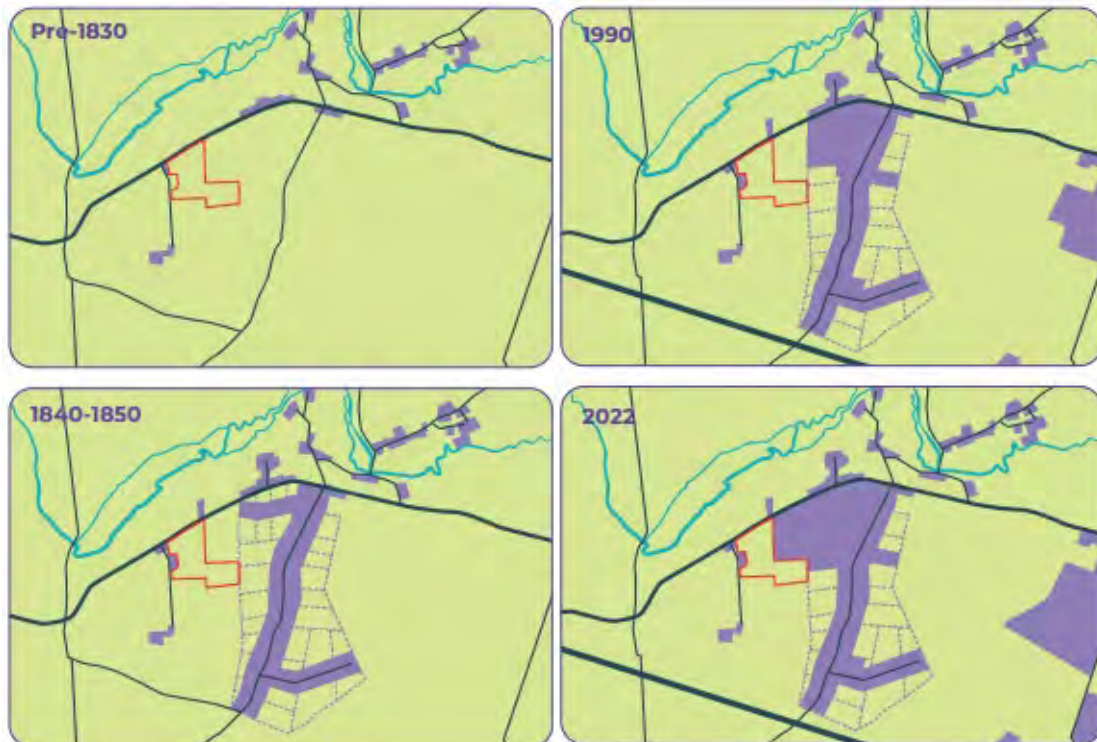


Image EDP 6.2: Historic growth of Minster Lovell, as portrayed in the DAS.

- 6.21 This increase in nucleated settlement to the north has been reinforced by the recently completed Bovis development, which effectively extends the earlier 20th century parts of the settlement along Burford Road, in a similar density/form. The form of this development was evidently considered an acceptable addition to the village.
- 6.22 In the context of (1) and (2) above, the further extension of the settlement in a nucleated form, but not extending north of Ripley Avenue in a spatial sense, is consistent with the growth of the settlement through the 20th century. The settlement is also identified as both 'linear' and 'nucleated' in Section 5 (page 8) of the West Oxfordshire Design Guide (**CD G3**).
- 6.23 In a landscape sense, the linear form of the parts of the settlement which have this character (and, similarly, the northern nucleated parts of the settlement) are not readily apparent when walking or driving around the local area. The characteristic chartist building style is evident when moving along Brize Norton Road and Upper Crescent, but this character has been retained within the new Bovis development, and there is no reason this could not be replicated within the appeal proposals.
- 6.24 Spatially, therefore, the further extension of the town westwards onto the appeal site – with a development proposal which takes account of the prevailing landscape and built character – I find to be consistent with the growth of the settlement through the 20th century, and a natural 'next stage' for growth of the village.
- 6.25 On the basis of my consideration of the appeal site in terms of the setting to the settlement, I don't find any evidence to suggest it plays a particularly important or prominent role in this

regard, but I do consider it provides a limited contribution. There will be some harm through developing on the open countryside on the edge of the (expanding) village, but this is partly mitigated by the form of the proposals, by modern built influences and by the lack of any characteristics of the appeal site which might take it beyond the ordinary.

- 6.26 In summary, I would generally concur with the appraisal set out in the ORC (**CD C9**) at paragraph 5.23, i.e., there would be some change to the overall settlement pattern of Minster Lovell, but this would be consistent with the contemporary development adjacent:

“The scheme before the LPA proposes to extend the C20 area further to the west. Officers secured a reduction in the scheme such that it is contained away from the linear area. In that regard, while the development does affect the settlement pattern, it extends the 'sizable block of C20 development' and not the historic linear element. Nonetheless, by adding volume to the C20 moves the overall settlement pattern more toward the nucleated than the linear. This causes some harm to the character of Minster Lovell.”

- 6.27 The evidence of Ms Stoten also confirms that the linear character of the Chartist elements of the village result from the character and extent of the landholding obtained at the time, rather than anything specific to the Chartist movement.

EXTENT OF LOCAL IMPACTS

Effects upon Landscape Features

- 6.28 Based upon my review of the LVA (**CD A21**), the DAS (**CD A14**) and the Arboricultural Impact Assessment (**CD A12**), I note that the proposed development results in the loss of short lengths of (low quality) hedgerow to facilitate footpath connections between the east and west parts of the site, and one low quality (Category C) tree adjacent to Burford Road. This loss of vegetation is to facilitate the accesses into and through the appeal site. A further three trees are recommended for removal for arboricultural reasons. It is also evident that the most valued features on and surrounding the appeal site – that is the mature vegetated boundaries and existing trees – are both retained and accommodated into the proposed development layout.
- 6.29 I also note with reference to the Illustrative Layout (**Appendix EDP 1**) and Illustrative Landscape Strategy (**Appendix EDP 2**) that the proposals commit to the following principal benefits in respect of landscape features:
- Significant additional tree, shrub and scrub planting will be provided, which will include extensive new hedgerow planting and small areas of woodland. This aligns with the requirements of the WOLA (**CD J1**);
 - The existing landscape structure will be maintained and enhanced, particularly through protection and long-term management of the existing hedgerow network, and also buffers to all vegetated appeal site boundaries. Again, this aligns with the requirement of the WOLA;

- Large areas of wildflower grassland are proposed within the central POS, and there is scope for additional wildflower in other parts of the appeal site, subject to discussions at Reserved Matters stage; and
 - Areas of shrub planting and trees, including associated with the SuDS basins and residential streets, will provide additional landscape structure consistent with the underlying landscape character.
- 6.30 There would also be a net gain in biodiversity of 10.03% in respect of Habitat Units and 101.18% in respect of Hedgerow Units. This would all be delivered on-site, as confirmed within the Biodiversity Net Gain (BNG) report submitted as part of the Outline Application (**CD B10**).
- 6.31 Effects upon landscape features are not specifically set out in the accompanying LVA (**CD A21**) but included within the assessment upon site-level landscape character (at paragraph 7.10). As set out in the LVA I consider there to be long-term positive impacts overall to on-site features, and as set out in the LSoCG (**CD E6**) there is agreement on this.
- 6.32 The Landscape Officer (LO) didn't make comment on the acceptability (or otherwise) of the extent of impact to landscape features in his response (**CD D26**), but did make a number of comments in relation to landscape mitigation, which I review below.

Effects upon Site Character

- 6.33 I examined the character of the appeal site earlier in my evidence and ascribed it a medium sensitivity in landscape terms at the site level. With regards to the predicted effects at each temporal stage, these are set out in **Table EDP 6.1** below. The draft LSoCG sought to agree my assumption that it is the localised impacts where the principal disagreements lie (rather than wider effects). I therefore focus on these impacts.
- 6.34 In respect of wider effects, the appeal site is perceived to such a very limited degree from the more sensitive landscape of the CNL to the north, or from the wider agricultural landscape to the south, that changes that might affect one's wider experience of the landscape from here are severely diminished.

Table EDP 6.1: Landscape Effects Summary

Receptor Type	Sensitivity	Magnitude of Change	Effect
Landscape Fabric of the Site			
Construction stage	Medium	Low Adverse	Neutral
Year 1	Medium	Medium Beneficial	Minor (+ve)
Year 15	Medium	High Beneficial	Moderate (+ve)
Landscape Character of the Site			
Construction stage	Medium	Very High	Major/moderate
Year 1	Medium	High	Moderate
Year 15	Medium	High	Moderate
Landscape Character of the Immediate Environs (LCA8 Upper Windrush Valley)			
Construction stage	Medium/High	Very High	Major/moderate
Year 1 (in AONB)	Very High	Very Low	Moderate/minor
Year 15 (in AONB)	Very High	Imperceptible	Negligible
Year 1 (outside AONB)	Medium/High	Low	Mod/minor to Minor
Year 15 (outside AONB)	Medium/High	Very Low	Minor to Negligible
Landscape Character of the Wider Area (LCA8 Upper Windrush Valley)			
Construction stage	Medium/High	High	Major/mod to Mod
Year 1 (in AONB)	Very High	Low/Very Low	Mod to Mod/minor
Year 15 (in AONB)	Very High	Very Low/Imperceptible	Minor/negligible
Year 1 (outside AONB)	Medium/High	Low/Very Low	Minor
Year 15 (outside AONB)	Medium/High	Very Low/Imperceptible	Minor/negligible

- 6.35 **Construction Effects:** Within the appeal site, it is an inevitability that the construction of a residential development of this scale would lead to an elevated, but short-term, change to the existing character of the appeal site as a discrete geographical unit of the wider landscape. I acknowledge there would be a major/moderate level of effect at the site level due to the change in perceptual and sensory character. This will be a short-term and temporary effect, however, which will cease at the termination of the construction stage.
- 6.36 **Year 1 Effects:** Upon completion, I would concur with many of the assessments within the LVA (**CD A21**). The LVA predicts a worst-case magnitude of change of high, corresponding to a *“Notable loss or alteration to one or more key elements/features/characteristics of the baseline condition. Addition of elements that are prominent and may conflict with the key characteristics of the existing landscape”*. This results in a moderate level of effect in accordance with EDP’s methodology, with which I agree.
- 6.37 Within the appeal site itself there will be a complete alteration to the appeal site’s openness, and some limited alteration to landscape features. The proposed development will introduce built residential development to an agricultural field, changing the character of the appeal site to one of residential development. This change, however, must be considered in the context of the following factors, which temper the effects and increase the potential acceptability:
- The fact that the appeal site sits adjacent to mature and contemporary residential development within the existing settlement of Minster Lovell, which both sets a precedent for new development in this general location, and also reduces the sensitivity of the appeal site; and
 - The landscape-led approach, which will ensure the retention, enhancement, and long-term management of existing characteristic landscape elements, and provision of new features which respect the aspirations of the LCA.
- 6.38 Typically, proposals of this nature on greenfield sites will impact a number of facets of landscape character more than others. Whilst it is an inevitable consequence of residential development that visual openness at the site level is changed, or even removed entirely, I consider the changes to visual openness as a result of the appeal proposals – despite the moderate level of effect at Year 1 – in this instance to be acceptable for the following reasons:
- The appeal site does not form a notable part of the perception of the wider landscape resource, as might be the case if, for example, it formed part of an important catalogued view from the local area, as identified within the Minster Lovell Conservation Area or AONB Management Plan. There are of course incidental views from locations such as the neighbouring play area/sports field and from Burford Road, but as I explored above, the appeal site derives little importance from this;
 - There are limited views of the appeal site from adjacent landscape areas, and the draft LSoCG (**CD E6**) sought to agree my position that there are no wider landscape impacts of note, particularly from the AONB to the north. Views from this area (as seen by **Photoviewpoints EDP 7, 11 and 13** within **Appendices EDP 3 and 4**) include the

prominent line of mature trees/hedgerow aligning the northern side of Burford Road, beyond which lies the appeal site; and

- The recently completed residential area to the east provides a prominent and changed context, and when viewed in this context the appeal proposals would be entirely consistent. The presence of this development – and to a lesser degree the wider settlement of Minster Lovell – provides a developed context such that the changes anticipated from the appeal proposals would not be out of character. In this regard the appeal proposals extend the 20th century development, rather than the historic core of the southern part of the village.

6.39 Ultimately, and despite the moderate level of effect predicted, I do not consider the appeal site to be notable or special in any way as part of the setting to Minster Lovell (for the reasons explored above), so its loss as an open agricultural field (which is common to other areas of the settlement and wider landscape) I do not consider to be particularly important.

6.40 Moreover, I consider the landscape proposals (see **Appendix EDP 2**) and mitigation to be well conceived, and I would anticipate that the development when in place will appear as a rational and logical extension to the settlement. This is due to a number of key factors:

1. Its juxtaposition with the urban area, and particularly in light of the precedent provided by the adjacent settlement. The appeal site is currently viewed in association with the new Bovis scheme, and responds to this context;
2. The location of the appeal site outside the CNL, and the agreed position (based upon the lack of mention of unacceptability in the RfR) that there will be no unacceptable impacts upon the setting of the AONB or the AONB itself;
3. The loss of openness is of course part of the change, and will result in some harm, but the sense of a settlement integrating effectively into the wider landscape would remain; and
4. It is agreed within the LSoCG that there are no significant impacts upon the wider landscape resource, and the proposals address a number of the requirements of the character assessment.

6.41 It is an inevitable consequence of green field residential development that the change from (in this case) an open agricultural field, to an urban residential development, will result in a change to the prevailing characteristics of the appeal site and a loss of openness at the site level. The critical thing to note is that this does not *necessarily* mean there will be a significantly adverse change to the prevailing characteristics of the appeal site's immediate surroundings or wider context in the longer term, or that these changes are unacceptable. The appeal site clearly reflects its local context, by extending development along Burford Road, and by wrapping round the adjacent Bovis development.

6.42 In terms of how the proposals will be experienced relative to the current baseline, the changed local context will only really be evident for road receptors and residential receptors, and for a relatively limited number/duration.

- 6.43 **Year 15 Effects:** The LVA didn't specifically assess the proposals at Year 15, focusing on the worst-case operational effects at Year 1. When defining a level of effect over a 15 year timeframe (and indeed longer), it is a case of attempting to define an effect over a timeframe when the baseline (i.e., the status quo) will be some time in the past. On this basis, the effect will evidently be less stark (but there will still be a change), and the development will have been integrated as part of the settlement. This integration arises not only due to the selection of an appropriate site (i.e., a site with existing residential influences) but also as a result of the landscape mitigation, which will soften the development in views, provide attractive and ecologically valuable habitats, and represent a positive feature of the locality generally.
- 6.44 On this basis, the precise level of effect is really only a guide to quantify effects but looking at the definitions of effect within the LVA (**CD A21**) and acknowledging that the LSoCG sets out an agreement that the WOLA won't significantly affected, I would expect the development to continue to reflect a *"Notable loss or alteration to one or more key elements/features/characteristics of the baseline condition. Addition of elements that are prominent and may conflict with the key characteristics of the existing landscape"*, and therefore be equivalent to a moderate effect (i.e., the same as at Year 1). This effect should, however, be considered in the following terms:
- Although the effect on the appeal site is permanent, the loss of openness to visual character, and subtle changes to topography, represents harm to only these dimensions of the landscape resource; and
 - This harm needs to be considered to be offset to a degree by gains in other dimensions of landscape, i.e., significant gains to the fabric of the landscape (a net gain in tree numbers, waterbodies, wildflower grassland, scrub and hedgerows) and to its social function (through the addition of public open space and access, which isn't currently available).
- 6.45 In summarising, I acknowledge that the proposed change from open agricultural land to residential uses will inevitably (and unavoidably) alter the character of the appeal site and result in harm at the local level to a number of facets of the landscape resource (and realise a moderate adverse effect). This is the case for all green field development sites, and I consider an inevitable consequence of provision of new housing beyond settlement boundaries. The great benefit of the appeal site is the extent to which landscape impacts are localised, and the lack of any elevated impact to the AONB or its setting, or indeed the wider landscape.
- 6.46 I consider that the appeal proposals have taken account of the prevailing topography (limited to no change), the existing settlement pattern (by echoing settlement pattern within the adjacent settlement), the existing vegetation framework, and the key perceptual sensitivities of the underlying landscape.
- 6.47 The ORC (**CD C9**) appears to mirror this consideration at paragraph 5.30, where it states (with my emphasis):
- "The proposal does not accord with the provisions of Policy OS2 of the Local Plan with regards to matters of character and appearance. Furthermore, the scheme would conflict*

with Policy EH2 of the Local Plan for the landscape reasons identified. However, there is much limiting this conflict, as set out above, and as a landscape led and high quality scheme could be secured at reserved matters stage, officers consider this policy conflict to be moderate.”

6.48 Related to the predicted level of effect on the landscape resource (and ingrained within the assessments above and within the LVA (**CD A21**)) is the alignment of the appeal proposals (or not) with the ‘Development Sensitivities’ and ‘Enhancement Priorities’ as set out in the WOLA in relation to the host LCT – Open Limestone Wolds (**CD J1**):

- The appeal proposals, through the significant additional planting proposed, would allow enhancement by being able to *“retain and replant hedgerows and hedgerow trees, using native species typical of the limestone (eg. Ash, field maple etc.)”*;
- The proposals, in being located adjacent to the newly completed Bovis development, addresses the sensitivity identified as *“elevated, semi-enclosed limestone wolds landscapes are also visually sensitive and any development would need to be closely integrated with existing buildings or within a strong landscape structure”*. The appeal proposals would address both aspects of this;
- Through the proposed hedgerow planting along the southern boundary (in particular), the appeal proposals would be able to partially address the enhancement priority to *“repair broken-down fencing and encourage development and maintenance of strong hedgerows and trees to reduce impact of unsightly land uses”* and to *“encourage more consistent use of boundary treatments along built frontages and allotments/small-holdings”*;
- In being located adjacent to the newly completed Bovis development, and not being a prominent part of the wider landscape, the appeal proposals reflect the sensitivity identified as *“potentially more tolerant of development but prominent plateau location, and suburbanising influence on adjacent landscape, limits opportunities”*; and
- The context and pattern of development address the final sensitivity, detailed as *“development of small fields and over-development of individual plots, leading to continuous ribbon development, should be avoided”*.

6.49 This accordance of the proposals with a number of the landscape enhancement priorities and sensitivities set out within the LCA, and the preservation of the key characteristics, leads me to conclude that the appeal proposals should be viewed favourably in terms of wider, and more localised, landscape character impacts.

EFFECTS UPON PUBLISHED LANDSCAPE CHARACTER AREAS

6.50 The LSoCG (**CD E6**) provides agreement that the appeal proposals would not result in any significant landscape harm to the published landscape character assessment areas.

EFFECTS UPON VISUAL AMENITY

- 6.51 Visual effects relate to changes that arise in the composition of available views as a result of changes to the landscape, to people's responses to the changes and to the overall effects with respect to visual amenity. Effects upon these receptors are derived through the changes to the views experienced and, through this, the change to the overall visual amenity of the study area as brought about by the appeal proposals. Reference should be made to my **Proof Plans CM 1–CM 9** and **Photoviewpoints EDP 1–14** (**Proof Plans CM 8** and **9** at **Appendices EDP 3** and **4**).
- 6.52 The LVA (**CD A21**) contained an assessment of a suitable range of receptors (at paragraphs 7.30 to 7.91), through reference to 14 representative viewpoints. Attempts were made to agree these viewpoints with the Council as part of the application process, but no correspondence was forthcoming. As part of producing the LSoCG (**CD E6**) I visited and assessed each viewpoint. I provide at **Appendix EDP 5** my assessment of all viewpoints. In undertaking this assessment, I have used the methodology and criteria contained within the appendix of the LVA (**CD A21**).

VISUAL EFFECTS

- 6.53 I generally concur with the conclusions made in respect of effects upon these receptors in the LVA (**CD A21**). On this basis, I do not repeat full assessments here, but make a number of more general observations, which align with the opinions expressed in the LVA and from my own review of the threshold of visual effects in my viewpoint assessment in **Appendix EDP 5**.
- 6.54 The key point to make is that elevated visual effects arising from the proposed development would be limited in both extent and the number of receptors affected. This is largely due to the visually contained nature of the appeal site (from the north by the woodland along the B4047 and from the west by topography and intervening vegetation), and the adjacent settlement area, which restricts views from the east. Whilst open to the south, views are foreshortened and a paucity of visual receptors means the extent of visual change is limited (see **Photoviewpoints EDP 8** and **9** in **Appendices EDP 3** and **4**).
- 6.55 The design and form of the development and its associated mitigation also helps limit local change. This is through focusing development in areas which allows for mitigation planting along boundaries and within the centre of the built up area, and by the development not extending further south than the 20th century nucleated development within Minster Lovell. I review below the effects on local visual receptors.

Visual Effects on PRoW

- 6.56 There is only a limited network of PRoW within the local area, as illustrated on **Proof Plan CM 2**. The LVA (**CD A21**) provides a detailed assessment of all PRoW within the study area, and I provide my assessment of those with the greatest level of effect below, with this derived from the findings of the LVA.

- 6.57 BW 113/7/10 follows the north-western edge of the River Windrush floodplain on a broadly south-west/north-east alignment. Vegetation on the south-east side of the route restricts visibility towards the appeal site from much of the route, but views across the floodplain and towards the appeal site are possible where the route passes gaps in the path-side vegetation – see **Photoviewpoint EDP 6** in **Appendices EDP 3** and **4**.
- 6.58 Glimpsed views towards the appeal site are possible through gaps in the adjoining hedgerow, but even in these views the vegetation on either side of Burford Road on the northern edge of the appeal site restrict visibility. As shown by the winter photoviewpoints at **Appendix EDP 4**, visibility would be greater in the winter months when deciduous vegetation is not in leaf, but such views are still heavily filtered.
- 6.59 During the construction phase, glimpsed views of activities on the appeal site would sometimes be possible, particularly those involving taller items of plant such as cranes. As the construction phase progresses, new built form in the northern part of the appeal site may become visible, seen through the boundary vegetation. As reinforcement planting along the northern boundary develops over time, the visibility of the appeal proposals would be further reduced.
- 6.60 For the route overall, the magnitude of change would be at worst low as the appeal proposals would not be visible from much of the route. With very high sensitivity due to its AONB location, the scale of effect would be moderate/minor adverse during construction and at Year 1. By Year 15, the magnitude of change would reduce to very low as vegetation on the northern boundary develops under enhanced management, resulting in a minor adverse effect.
- 6.61 RB 302/10/20 runs south from Burford Road towards the Ting Tang Lane caravan park. FP 302/8/10 then runs east towards Brize Norton Road, running broadly parallel to the A40. Much of both these routes is lined by strong hedgerows, though views through towards the appeal site are still possible from some sections – see **Photoviewpoints EDP 8** and **9** in **Appendices EDP 3** and **4**.
- 6.62 During the construction phase, views of activities on the appeal site would occasionally be possible, particularly those in the southern part of the appeal site. As the construction phase progresses, the higher elements of new built form, particularly in the southern part of the appeal site, would also become visible. As the proposed boundary planting along the southern edge of the appeal site becomes established and develops over time, the visibility of the proposed new built form would reduce.
- 6.63 The magnitude of change would be medium during construction and at Year 1, reducing to low by Year 15. With high sensitivity, the scale of effect would be moderate adverse, reducing to moderate/minor adverse by Year 15.
- 6.64 FP 302/11/10 runs between Cotswold Close and the recreation ground to the east of the appeal site. Views from most of the route are dominated by the existing built form on either side of the path, and by the Bovis development on the western side of the recreation ground. As the path reaches the recreation ground, construction activities and in time new built form would become partially visible in the south-eastern part of the appeal site, seen above the trees and shrubs on the western side of the recreation ground, and in the context of the

existing built form such as on Ripley Avenue – see **Photoviewpoint EDP 4** in **Appendices EDP 3** and **4**. For the route as a whole, the magnitude of change would be low, resulting in a minor adverse effect. This would not change noticeably over time.

6.65 The following PRoW would have limited to no effects:

- FP 302/9/10 and BW 113/3/10;
- FPs 113/2/20 and 376/8/10;
- FP 113/1/10 and FP 143/2/20;
- Restricted sections of PRoW to the north of Asthall and east of Swinbrook: see **Photoviewpoint EDP 12**; and
- NCR57: see **Photoviewpoint EDP 11**.

Visual Effects on Roads/Other Public Viewpoints

6.66 Burford Road runs adjacent to the northern appeal site boundary, and users would have clear visibility of the appeal proposals, both during the construction phase and post-construction – see **Photoviewpoints EDP 1** and **2** in **Appendices EDP 3** and **4**. Views would be partially restricted by tree cover on the northern boundary of the appeal site, and this vegetation would be enhanced over time through reinforcement planting and improved management. New built form would remain visible, though its appearance would become softened by the intervening vegetation. Further to the west on Burford Road (towards the A40 roundabout junction), visibility would be heavily restricted by trees and hedgerows on either side of the road.

6.67 The magnitude of change would be at worst very high during construction and at Year 1, reducing to high by Year 15. With medium sensitivity, the scale of effect would be major/moderate adverse, reducing to moderate adverse by Year 15. Even though this represents an elevated effect, the change would represent a very similar character to the immediate surroundings.

6.68 Parts of the Proposed Development would be visible from the residential streets within the Bovis development (Abraham Way/Holloway Lane/Stratford Row/Busby Drive/Blake Crescent), seen through gaps between the properties, particularly in the southern part of the appeal site beyond the Bovis POS. Both construction activities and new built form would be visible, seen in the context of the Bovis development.

6.69 The magnitude of change would be high, and with low sensitivity, the scale of effect would be moderate/minor adverse. As the proposed landscape planting develops, both within the Bovis development and the appeal proposals, the appearance of built form would become softened, though it would remain visible. By Year 15, the magnitude of change would reduce to medium, resulting in a minor adverse effect.

6.70 The south-eastern part of the appeal site is partially visible from the western end of Ripley Avenue, seen through gaps between the properties at this end of the road, with views filtered by the vegetation on the eastern edge of the appeal site (the rear gardens of the

western most properties on Ripley Avenue) – see **Photoviewpoint EDP 4** in **Appendices EDP 3 and 4**.

- 6.71 Construction activities relating to the proposed landscaping and structural planting in the south-eastern part of the appeal site would be partially visible, as would the construction of the south-eastern group of new dwellings. There would be only very limited visibility of activities in the western part of the appeal site. As the proposed planting on the south-eastern boundary of the appeal site develops and grows, visibility would be further reduced.
- 6.72 The magnitude of change during the construction phase would be at worst medium, reducing to low by Year 1, and very low by Year 15. With low sensitivity, the scale of effect would be minor adverse during the construction phase, reducing to minor adverse/negligible at Year 1, and negligible by Year 15.
- 6.73 There would be limited to no effects upon the following road/other receptors:
- Brize Norton Road: see **Photoviewpoint EDP 5**;
 - Minor road through Worsham: see **Photoviewpoint EDP 7**;
 - Road from Ninety Cut Hill to Worsham Turn and Worsham Turn to Asthall Leigh, Ninety Cut Hill (NCR57), and Ninety Cut to Swinbrook: see **Photoviewpoint EDP 12**;
 - Road from Asthall Leigh to Little Minster (C35444): see **Photoviewpoint EDP 11**;
 - Minster Riding (C15430) – Little Minster to Field Assarts; and
 - Business units west of Brize Norton Road.

Effects on Residential Receptors

- 6.74 People at home, and in particular where there are open views from primary living spaces, are particularly susceptible to change and, in the context of the proposals, have a high to very high sensitivity. The review undertaken as part of the baseline section of the LVA highlights a small number of properties where a potential visual effect is likely; those with the greatest level of effect are considered in detail below with their locations illustrated on **Proof Plan CM 7**. It is worth noting that there is no right to a view in planning terms, which is an important point when considering the potential changes to views.
- 6.75 The properties on the western and southern edges of the Bovis development would experience the greatest effects. Much of the Proposed Development would be visible from these properties – see **Photoviewpoints EDP 2 and 3** in **Appendices EDP 3 and 4**. Both construction activities and new built form would be visible, seen in the context of other properties within the Bovis development itself.
- 6.76 The magnitude of change would be very high, and with high sensitivity, the scale of effect would be major adverse. As the proposed landscape planting develops, both within the Bovis development and the appeal proposals, the appearance of built form within the appeal proposals would become softened, though it would remain visible. By Year 15, the

magnitude of change would reduce to high, resulting in a major/moderate adverse effect. Although an elevated effect determined by the matrix and other criteria, it is critical to note that: (1) these are new dwellings which were formerly an open field; (2) the character of the appeal proposals would be not inconsistent with the character of the current surroundings; and (3) views out from the Bovis development I do not consider to be particularly valuable.

- 6.77 Strong existing vegetation is present to the western boundaries of properties at the western end of Ripley Avenue – see **Photoviewpoint EDP 4** in **Appendices EDP 3** and **4**. Construction activities relating to the appeal proposals in the south-eastern part of the appeal site would be partially visible, but views would be heavily filtered by the existing intervening vegetation. There would be only very limited visibility of activities in the western part of the appeal site. As the proposed planting on the south-eastern boundary of the appeal site develops and grows, visibility would be further reduced.
- 6.78 The magnitude of change during the construction phase would be high, reducing to medium by Year 1, and low by Year 15. With high sensitivity, the scale of effect would be major/moderate adverse during the construction phase, reducing to moderate adverse at Year 1, and moderate/minor adverse by Year 15.
- 6.79 Both construction and landscaping activities would be clearly visible across the western part of the appeal site from Repeater House, The Lodge, White Hall Cottages – see **Photoviewpoint EDP 1** in **Appendices EDP 3** and **4**. By Year 15, the proposed planting along the boundary between these properties and the appeal proposals would be developing and growing, helping to soften the appearance of new built form. The new built form would, however, remain visible.
- 6.80 The magnitude of change would be very high, reducing to high by Year 15. With high sensitivity, the scale of effect would be major adverse, reducing to major/moderate adverse by Year 15.
- 6.81 The various residential properties at White Hall Farm to the south-west of the appeal site would be likely to have visibility of both construction activities and the proposed new dwellings in the south-western part of the appeal site (this location is not publicly accessible), with the level of visibility dependant on the precise location and orientation of the different properties and the extent of intervening vegetation on the boundaries of the properties. By Year 15 as the proposed planting along the western part of the southern boundary develops and grows, visibility would be reduced, and the appearance of built form would be softened.
- 6.82 The magnitude of change during the construction phase and at Year 1 would be high, reducing to medium by Year 15. With high sensitivity, the scale of effect would be major/moderate adverse during the construction phase and at Year 1, reducing to moderate adverse by Year 15.
- 6.83 Many of the properties on the west side of Brize Norton Road are bungalows, though these often have dormer windows indicating that there are habitable rooms on the first floor/in the roof space – see **Photoviewpoint EDP 5** in **Appendices EDP 3** and **4**. Depending on the orientation of the individual properties, the occupants of many of these properties would have views of both construction activities (especially those involving taller items of plant)

and in time new dwellings in the southern part of the appeal site. Views would be filtered by the often strong boundary vegetation to the rear gardens, and the field boundary vegetation around the fields and paddocks to the west of these properties. Filtering effects would be greatest in the summer months when deciduous vegetation is in leaf, and by Year 15 the proposed structural planting in the south-eastern part of the appeal site would further reduce visibility of the appeal proposals.

- 6.84 The magnitude of change during the construction phase and at Year 1 would be at worst medium, reducing to low by Year 15. With high sensitivity, the scale of effect would be moderate adverse during the construction phase and at Year 1, reducing to moderate/minor adverse by Year 15.
- 6.85 Properties on the east side of Brize Norton Road would have much less visibility of the Proposed Development, with views generally blocked by the properties on the west side of the road. The magnitude of change would be at worst low, reducing to very low by Year 15. With high sensitivity, the scale of effect would be at worst moderate/minor adverse, reducing to minor adverse by Year 15.
- 6.86 There would be little to no residual impacts upon the following residential receptors:
- Ting Tang Lane Caravan Park;
 - Barrow Farm: see **Photoviewpoint EDP 10**;
 - Worsham: see **Photoviewpoint EDP 7**;
 - Stonefold and Worsham Turn;
 - Folly Farm; and
 - Southern edge of Asthall Leigh: see **Photoviewpoint EDP 11**.

Summary

- 6.87 Ultimately, the appeal proposals would result in some limited adverse effects upon visual amenity when experienced at close range – this is not unusual, or unexpected, for development on the settlement edge and should not be a reason for the development to be found to be unacceptable. The extremely limited extent of receptors affected, and a visual envelope which does not include many receptors aside from existing residences (which are mostly within an existing settlement context), results in only limited harm upon visual amenity when considered as a whole.
- 6.88 The ORC is even stronger on this matter, stating in paragraph 5.41 *“As considered in the assessment above, there would be no harm to the neighbouring and visual amenity along with no harm had to highway safety.”*

LANDSCAPE OFFICER COMMENTS

Landscape Officer Comments on Visual Amenity

6.89 The landscape officer's response to the application (**CD D26**) reads as a negative response, but there is no formal indication that the Officer objects, despite the contention to the contrary within the Council's SoC (paragraph 4.3 bullet 5). It has subsequently been clarified (within the LSoCG (**CD E6**)) that there was indeed no objection.

6.90 The summary of visual matters is provided below:

"The northern boundary is particularly sensitive. The site is relatively open in views from the B4047. Existing vegetation along the boundary is sporadic. Tree cover is predominately ash and so this cannot be relied upon to survive in the short to medium term. There is no hedgerow and only occasional scrub cover. This boundary will become more open and exposed. The high ground along the Burford Road ridge is important in protecting views from within the AONB and from within and beyond the Windrush Valley. Consideration will need to be given to the potential visibility of housing development along the high ridge.

Views from the south are more limited. Housing development is likely to be visible, but at some distance. However, views across the wider countryside, across the Windrush Valley, towards Leafield and Wychwood Forest, is likely to be punctuated by a modern housing development roofscape."

6.91 In response to this assessment, I would make the following comments:

- I would concur that the development would be open in views from the B4047, but this is not a particularly sensitive receptor and most views from the road across/towards the appeal site already contain the Bovis development and other parts of Minster Lovell, and longer term change will be managed through landscape mitigation and management. I would therefore disagree that the boundary will become more exposed if properly managed;
- The visual filtering of the appeal site from the north arises from the double line of vegetation (north and south of the road), and even if failures arose to trees on the appeal site boundary, there would still be a good level of filtering that remains (from trees on the northern side of the road). This filtering is evident for the neighbouring scheme, which has a not dissimilar level of tree/shrub planting along the boundary to the road. This can be seen on **Photoviewpoints EDP 6, 7 and 11** in **Appendices EDP 3 and 4**, within which the Bovis development is visible. I don't consider that the Bovis development materially detracts from the visual amenity (and critically, was deemed acceptable given it has permission);
- Impacts from the north (within the CNL) have been considered throughout the LVA process, with a number of viewpoints (e.g., **Photoviewpoints EDP 6, 7 and 11 – 13** within **Appendices EDP 3 and 4** used to assess this; and
- I agree that views from the south are limited, and that albeit housing may be visible, it would be at some distance and not prominent (refer to **Photoviewpoints EDP 8** and

9). In considering the assertion that “*views across the wider countryside, across the Windrush Valey, towards Leafield and Wychwood Forest, is likely to be punctuated by a modern housing development roofscape*” I assume this relates to views from PRoW 302/8/10 to the south. **Photoviewpoint EDP 9** shows views from this route and illustrates the very distant views to woodland areas within the AONB. It is likely that roofscapes would be visible in this panorama, although I would consider any impacts to this view – in the context of the limited contribution these very long distance glimpses of woodland provide – to be extremely limited. My assessment of this viewpoint concludes a moderate/minor effect, which arises largely from the high sensitivity of the receptor.

Landscape Officer Comments on Landscape Effects

- 6.92 In the Landscape Officer’s consultation response (**CD D26**) the general contention is made that “*The B4047, west of Minster Lovell, retains a very rural character. This would be adversely affected by the construction of housing development, new traffic access infrastructure, new roadside footpaths and signage*”. As set out above, I agree there will be some adverse impacts, but given the appeal site context these would be within acceptable parameters. I discuss this further in relation to specific points below in relation to impacts on the setting of the village and CNL (and where required refer to visual impacts).
- 6.93 The Landscape Officer goes on to suggest a number of points to consider were planning permission granted. I review these below, and provide commentary where relevant:
- “*A woodland buffer of considerable width along the norther boundary to help retain the rural character of the B4047, to protect views from the AONB to the north and to accord with recommendations in the Landscape Assessment.*”
 - “*Set-back of developable area from northern boundary to accommodate woodland belt, providing sufficient space to avoid conflicts with residential properties.*”
- 6.94 The constraints placed on the appeal site by service corridors inside the appeal site boundary means that a woodland buffer would not be possible in this location – see the landscape plan at **Appendix EDP 2**. Moreover, as demonstrated by the adjacent development (which doesn’t have a woodland buffer in this location), a woodland buffer is not essential to ensure that development can be accommodated – either visually or in landscape terms. The long-term retention and enhancement of the tree line to the B4047 will achieve the same function, whilst allowing a positive relationship to the proposed development.
- 6.95 The set back provided enables an area of landscaping/POS and reflects the set back of the neighbouring development, which I consider spatially appropriate.
- “*Provide a meaningful wooded edge along the southern boundary.*”
- 6.96 A wooded edge would be out of character with the surroundings, and the proposed hedgerow with hedgerow trees would provide a positive integration with the open agricultural landscape to the south and be consistent with other areas of similar landscape typology.

- *“Relocate main vehicular access as far to the east as possible, to avoid further unnecessary suburbanisation along Burford Rd.”*
- 6.97 The network of internal roads and access points has been carefully considered, and the best overall solution advanced, as illustrated on the Illustrative Masterplan. This reflects the approach taken for the adjacent Bovis scheme, whereby a narrow entrance through the boundary vegetation is proposed. This is therefore consistent with its locality and context.
- *“Keep building heights as low as possible to avoid views of housing development on the skyline in views from the north and south.”*
- 6.98 As set out in the DAS (**CD A14**), *“Site frontage - The dwellings should continue the 2 storey built form as well as a green buffer from Burford Road utilised in the neighbouring development, creating a strong, attractive new gateway into Minster Lovell.”* This means that – in the same way as the neighbouring development – storey heights are able along this boundary to respect views from the north and south. This can also be controlled at reserved matters stage, as required.
- *“Ensure deliverability of pedestrian/cycle connections across third party land.”*
- 6.99 This matter is not really a landscape matter, and is dealt with in the evidence of Mr Neale.

LANDSCAPE POLICY CONSIDERATIONS

- 6.100 The most relevant landscape policies are set out in **Section 4** of my evidence. The key policies with which there is deemed a conflict (as set out in RfR1) are Policies OS2, OS4 and EH2 of the West Oxfordshire Local Plan. These are reviewed in turn below, with relevant extracts provided (references to the National Park removed).

Policy OS2: Locating development in the right places

- 6.101 Relevant parts of Policy OS2 are worded as follows.

“Main service centres, rural service centres and villages

The villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. A number of site allocations are proposed to ensure identified needs are met. Further allocations may be made through Neighbourhood Plans.

Proposals for residential development will be considered in accordance with Policy H2 of this Local Plan.

“General principles

All development should:

- *Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;*

- *Form a logical complement to the existing scale and pattern of development and/or the character of the area;*
- *Avoid the coalescence and loss of identity of separate settlements;*
- *Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;*
- *As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;*
- *Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;*
- *Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;*
- *Not be at risk of flooding or likely to increase the risk of flooding elsewhere;*
- *Conserve and enhance the natural, historic and built environment;*
- *Safeguard mineral resources;*
- *In the AONB, give great weight to conserving landscape and scenic beauty and comply with national policy concerning major development;*
- *In the Green Belt, comply with national policies for the Green Belt; and*
- *Be supported by all necessary infrastructure including that which is needed to enable access to superfast broadband.”*

6.102 The starting point for any review of the proposed development in the context of this policy must be that the policy as written presupposes that development can occur (“*All development should...*”) and thus that change to the landscape at some level does not necessarily involve conflict with the policy. Additionally, the policy accepts that some change can be accommodated by stating in respect of local landscape enhancements that this should be pursued “*As far as is reasonably possible...*”.

6.103 Based upon the criteria within the policy and my appraisal of the appeal site’s context and the likely impacts which will arise, and with particular reference to my appraisal above, I find the appeal proposals demonstrate the following (I limit my review to the landscape-related criteria):

- That they are both proportionate and appropriate in terms of scale in relation to the wider village, and in this regard form a logical complement to the existing built context;
- That the proposals preserve the setting of Minster Lovell given the appeal site contributes little (in my opinion, and subject to my review above) to the village setting, which is undefined in either policy or elsewhere. As far as is reasonably possible (in the

context that all greenfield development results in some landscape harm) the proposals protect and enhance the local landscape;

- The proposals do not involve the loss of an area of open space or any other feature that makes what I consider an important contribution to the character or appearance of the area. They do result in some localised landscape and visual harm, but the appeal site is not within the CNL, and recent development consents illustrate that with appropriate design and mitigation, this location is able to accept development at scale;
- The site is not within the CNL, so bullet point 11 is not applicable. In respect of the setting of the CNL, the proposals respect the aspirations of paragraph 182 of the Framework which requires development in the setting of designated landscapes to be “*sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*”; and
- That through biodiversity offsetting the proposals enhance the natural environment in terms of net gain.

6.104 I concede that the proposal will result in a limited level of (inevitable) harm to the landscape character of the appeal site and its immediate surroundings. This limited harm, and the fact that from a locational and contextual perspective I find the proposals acceptable, the conflict with this policy is equally limited. The proposals would also fully comply with many of the separate criteria.

Policy OS4: High Quality Design

6.105 Relevant parts of Policy OS4 are worded as follows:

“High design quality is central to the strategy for West Oxfordshire. New development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings and should:

- *demonstrate high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment where the quality of the public realm is enhanced and the likelihood of crime and fear of crime is reduced; and*
- *not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties; and*
- *demonstrate resilience to future climate change particularly increasing temperatures and flood risk, and the use of water conservation and management measures; and*
- *conserve or enhance areas, buildings and features of historic, architectural and environmental significance, including both designated and non-designated heritage assets and habitats of biodiversity value; and*

- *enhance local green infrastructure and its biodiversity, including the provision of attractive, safe and convenient amenity open space commensurate with the scale and type of development, with play space where appropriate.*

Designers of new development will be expected to provide supporting evidence for their design approach. They should have regard to specific design advice contained in supplementary planning guidance covering the District. The West Oxfordshire Design Guide, Oxfordshire Historic Landscape Appraisal, Landscape Assessments, Conservation Area Appraisals and Cotswolds AONB guidance documents are key tools for interpreting local distinctiveness and informing high design quality.”

- 6.106 Whilst the standard of design and sense of place are highly subjective matters (and can be controlled at reserved matters stage to the agreement of the LPA), the DAS (**CD A14**) sets out how the appeal proposals have responded to their context and how they take account of embedded design principals and sensitivities. In this regard it demonstrates compliance with bullets 1–5.
- 6.107 With regard to the requirement to respect the landscape character of the locality, my earlier evidence details the anticipated level of landscape character effects in context, and confirms that although there is some local landscape effects, the proposals do indeed “*respect the landscape character of the locality*”.
- 6.108 Concerning matters around local distinctiveness and the requirements of the West Oxfordshire Design Guide, my review against Policy OS2 largely covers this and finds the proposals have some, but limited, conflict.

Policy EH2: Landscape Character

- 6.109 Relevant parts of Policy EH2 are worded as follows:

“The quality, character and distinctiveness of West Oxfordshire’s natural environment, including its landscape, cultural and historic value, tranquillity, geology, countryside, soil and biodiversity, will be conserved and enhanced.

New development should conserve and, where possible, enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape, including individual or groups of features and their settings, such as stone walls, trees, hedges, woodlands, rivers, streams and ponds. Conditions may be imposed on development proposals to ensure every opportunity is made to retain such features and ensure their long-term survival through appropriate management and restoration.

Proposals which would result in the loss of features, important for their visual, amenity, or historic value will not be permitted unless the loss can be justified by appropriate mitigation and/or compensatory measures which can be secured to the satisfaction of the Council.

Proposed development should avoid causing pollution, especially noise and light, which has an adverse impact upon landscape character and should incorporate measures to maintain or improve the existing level of tranquillity and dark-sky quality, reversing existing pollution where possible.

Special attention and protection will be given to the landscape and biodiversity of the Lower Windrush Valley Project, the Windrush in Witney Project Area and the Wychwood Project Area.”

6.110 Again, this policy is written with a view to development taking place (“*New development should...*”), although the requirements set out render this a policy of ‘no impact’. In other words, development can only be deemed compliant where it “*conserves and, where possible, enhances*” the features of the landscape.

6.111 Whilst my review of the impacts against the aspirations of this policy and the published landscape character assessment show that the proposals do indeed conserve landscape character in some respects (through the limitation in local effects and avoidance of effects upon the wider LCA) I consider that the localised impacts predicted necessarily lead to a limited conflict with this policy. Importantly, this would be the case for every development upon a green field site when tested against the policy aspirations.

6.112 The OCR appears to reflect the same conclusion on the degree of conflict with policies OS2 and EH2, in stating at paragraph 5.30:

“5.30 The proposal does not accord with the provisions of Policy OS2 of the Local Plan with regards to matters of character and appearance. Furthermore, the scheme would conflict with Policy EH2 of the Local Plan for the landscape reasons identified. However, there is much limiting this conflict, as set out above, and as a landscape led and high quality scheme could be secured at reserved matters stage, officers consider this policy conflict to be moderate.”

6.113 The appeal proposals would impact only a geographically discrete part of the published LCA in terms of a loss of openness and some very limited loss of landscape features (i.e. low quality hedgerow and a single tree at the appeal site entrance). I have also shown this particular parcel is at the lower end of the hierarchy in terms of landscape value and does not contribute markedly to the setting of the settlement. Harm to the appeal site therefore carries proportionately little weight in the planning balance.

6.114 In terms of the Framework, I find that the appeal proposals therefore ‘recognise’ and respond to the ‘intrinsic character and beauty’ of the receiving landscape and environment in line with the test set out by paragraph 180 (b) of the Framework. The Framework does not place a blanket restriction on development within paragraph 180(b) landscapes, especially where the key sensitivities of the receiving landscape have been taken into account in the design and assessment of the scheme, as they are in this case.

Section 7

Summary and Conclusions

- 7.1 My name is Charles Mylchreest. I have been instructed by the appellant, Catesby Estates Limited, to provide advice, evidence, and expert opinion with regard to the effects, in landscape and visual terms, of the appeal proposals at Minster Lovell. Specifically, my evidence addresses the first Reasons for Refusal (RfR), which purports several landscape-related planning policy conflicts and harms.
- 7.2 My evidence explores the landscape matters embedded in RfR 1 and is structured around the main issues that I have derived from a review of third-party representations, matters raised by Officers as summarised in the Committee Report, the various Proofs of Evidence and my own appeal site appraisals. My evidence attempts to provide a focussed case based upon the draft LSoCG at the point of exchange.
- 7.3 In this section, I summarise my own evidence on the level of landscape and visual harm, and provide my conclusions based upon this. This is based upon the key strands to the Council's case, which I take to be (1) the extent of localised landscape and visual harm arising as a result of the appeal proposals, and (2) the impacts to the identity/setting of Minster Lovell. I address these in summary below.
1. It is agreed that the appeal site does not form part of a Valued Landscape for the purposes of NPPF paragraph 180 (a) and therefore the proposals are required to 'recognise' the landscape rather than 'protect and enhance' it. This means any residual harm carries proportionately less weight;
 2. The appeal site does not have any statutory status or identified quality in the development plan and is technically unconstrained and undesignated in environmental and landscape terms. It is therefore nowhere near special enough to preclude development in principle;
 3. I find that the proposals have taken account of the prevailing topography, the existing settlement pattern (by echoing settlement pattern to the east), the existing vegetation framework, and the key perceptual sensitivities of the underlying landscape. On this basis, I consider the agreed very localised harm to the site character and its immediate surroundings, to be acceptable;
 4. The appeal site's location benefits from containment to the east (by the built fabric of Minster Lovell), to the west (by detached dwellings and vegetation) and to the north (by vegetation along the appeal site boundary and the northern side of Burford Road), and as such realises acceptable levels of impact to both the CNL and its setting, within which the appeal site lies;
 5. The appeal site comprises parts of two rectilinear arable agricultural field parcels, with a hedgerow running north to south between them and one, which follows round a private dwelling, forming the western boundary. A tree line borders Burford Road which forms the northern site boundary. Some minimal loss will occur to the northern site

boundary and internal hedgerow to facilitate the appeal site and internal access points. The remaining vegetation in the site boundaries will be retained and enhanced;

6. The Landscape Strategy shows how the appeal proposals will provide significant additional landscaping and vegetation, including (illustratively) 225 new native trees, c.0.9km of new native hedgerows, and over 3ha of new grassland. This will bring significant biodiversity benefits and provide attractive areas of POS within the residential layout. The landscaping and POS proposals will provide a high-quality setting to the new housing development and the new settlement edge of Minster Lovell, which will provide a contiguous and consistent, and soft, relationship between the settlement and surrounding countryside;
7. The eastern boundary to the northern part of the appeal site comprises existing residential dwellings within the new Bovis development (and their curtilage) on the edge of Minster Lovell, with the western part of the southern part of the site sitting adjacent to dwellings on Ripley Avenue. Residential form exerts a prominent influence across the appeal site, and I do not agree with the Council's contention that the appeal site is *"an important part of the rural setting of the historic rural village of Minster Lovell (Charterville)"* nor that *"the proposal would involve the loss of an important green open space that has become more important following the building out of the Bovis site"*;
8. I consider above in evidence the different facets of the appeal site which might contribute to the setting of the village and conclude that there is no evidence to suggest it plays a particularly important or prominent role in this regard. There will be some harm through developing on the open countryside on the edge of the (expanding) village, but this is partly mitigated by the form of the proposals, by modern built influences and by the lack of any characteristics of the appeal site which might take it beyond the ordinary;
9. In this respect I consider that the proposals would protect the setting of Minster Lovell as it is experienced from the approaches and surroundings to it. The broad character of the settlement will remain (as a mixture of linear and nucleated settlement, as set out in the West Oxfordshire Design Guide), and the existence of the village as a settlement within a predominantly agricultural landscape will remain. Indeed, the landscape framework within which the built development sits will ensure the proposals respect the juxtaposition of the settlement and its western hinterland, whilst the extensive areas of POS and landscaping will provide an attractive and valuable feature for new and existing residents; and
10. My evidence demonstrates that the appeal proposals would effectively just move the edge of the village westwards into an area of unremarkable agricultural land which is already influenced by the existing settlement edge. There would be a limited level of (inevitable) harm to the landscape character of the appeal site and its immediate context, and to local visual receptors.

CONCLUSIONS

- 7.4 The proposed change from open grazing land to residential uses will inevitably (and unavoidably) alter the character of the appeal site and result in change at the local level. Both the LVA and my evidence concur that such change is inevitable and should not preclude development as a matter of principle – especially where there is a pressing need for housing. This is the case for all green field development sites and is an inevitable consequence of provision of new housing beyond settlement boundaries.
- 7.5 The hinterland of Minster Lovell will change, but this change I have shown to be consistent with the current identity of the village, and into an area of landscape at the lower end of the hierarchy as established in the NPPF. The settlement edge will be ‘moved’ c.240m to the west, but the landscaping incorporated within the proposals ensure that the integration with the surrounding landscape will be effective, and that the presence of the village as a settlement within an agricultural landscape will remain.
- 7.6 For the above reasons, my evidence is that there are no landscape-related reasons why the appeal proposals should be refused planning permission.

For **Appendices EDP 1 – 5**, when reading as a hard copy please refer to standalone A3 document.

When viewing as an electronic copy, these will be contained in the same file, after this page.

Appendix EDP 1

Illustrative Masterplan



Do not scale from this drawing.
This drawing is for discussion or planning purposes only. The accuracy of this drawing may be reliant upon survey information provided by third parties. Whilst all reasonable efforts are used to ensure drawings are accurate, edge Placemaking Group Ltd accept no responsibility or liability for any reliance placed on or use of this plan by anyone for purposes other than those stated above or for errors arising from third party information.
This drawing and the works depicted are the copyright of edge Placemaking Group Ltd and may not be reproduced or amended except by written permission.

DRAFT

- Site boundary (8.54 ha)
- 1 Proposed vehicular and pedestrian access
- 2 Proposed pedestrian/cycle connection
- 3 Primary street
- 4 Secondary street
- 5 Private drive
- 6 Proposed recreational route
- 7 Proposed playspace
- 8 Proposed attenuation basin
- 9 Existing vegetation retained and enhanced as necessary with locally characteristic and native species
- 10 Proposed woodland edge
- 11 Proposed green buffer to existing property
- 12 Proposed pumping station
- 13 Proposed footpath along Burford Road

F	23.01.25	Amended proposals
E	22.12.06	Amended boundary and proposals
D	22.10.13	Amended site boundary
C	22.10.12	Amended site boundary
B	22.10.06	Amended landscape
A	22.09.29	Amended proposed layout

Rev.	Date	Description
------	------	-------------

Land to the west of
MINSTER LOVELL

Illustrative Masterplan

Job ref: 466	Drawing number: P03	Revision: F
Scale: 1:2,500 @ A3	Date: January 2023	



part of
edge Placemaking Group Ltd

Suite 2
7 Buttermarket
Thame
Oxfordshire
OX9 3EW

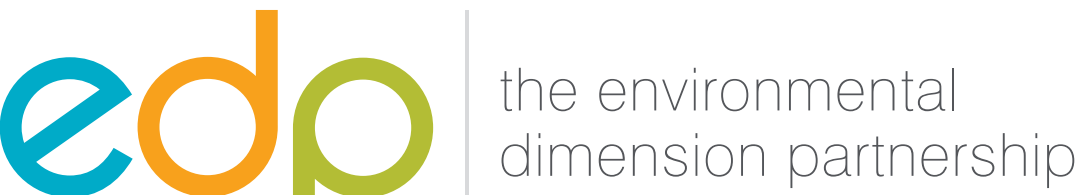
01865 522395
enquiries@edgeUD.co.uk
www.edgeUD.co.uk

Appendix EDP 2
Landscape Strategy Plan
(edp7754_d011b 24 March 2023 JFr/CMY)



- Site Boundary
- Existing Trees
- Existing Hedgerow
- Proposed Trees
- Proposed Hedgerow
- Proposed Mixed Scrub
- Attenuation Basin
- Area for Play
- Amenity Grassland
- Meadow Grassland
- Pedestrian/Cycle Routes

client	Catesby Strategic Land Limited		
project title	Land south of Burford Road, Minster Lovell		
drawing title	Landscape Strategy Plan		
date	24 MARCH 2023	drawn by	JFr
drawing number	edp7754_d011b	checked	CMY
scale	1:1,000 @ A1	QA	Gyo



Registered office: 01285 740427 - www.edp-uk.co.uk - info@edp-uk.co.uk

Appendix EDP 3

Proof Plan CM 8: Photoviewpoints EDP 1 to 14
(edp7754_d019a 15 January 2023 JFr/CMY)

Photoviewpoint EDP 1: Burford Road at North-West Corner of Site

Photoviewpoint EDP 2: Burford Road at North-East Corner of Site, adjacent to Bovis Development

Photoviewpoint EDP 3: South-east corner of Bovis development, close to Ripley Avenue

Photoviewpoint EDP 4: Minster Lovell recreation ground

Photoviewpoint EDP 5: Brize Norton Road within Charterville Allotments

Photoviewpoint EDP 6: Bridleway BW 113/7/10 on north-west side of Windrush valley

Photoviewpoint EDP 7: Minor road through Worsham, close to The Bungalow

Photoviewpoint EDP 8: Footpath FP 302/8/10 to west of Brize Norton Road

Photoviewpoint EDP 9: Footpath FP 302/8/10 to south-east of White Hall Farm

Photoviewpoint EDP 10: Burford Road to east of roundabout junction with A40

Photoviewpoint EDP 11: Road from Asthall Leigh to Little Minster (C35444)

Photoviewpoint EDP 12: Minor road (and bench) from Ninety Cut to Swinbrook

Photoviewpoint EDP 13: Minster Ridings between Little Minster and Field Assarts

Photoviewpoint EDP 14: A40 at junction with minor road leading to Swinbrook







To be viewed at comfortable arm's length





To be viewed at comfortable arm's length



Photoviewpoint EDP 6: Bridleway BW 113/7/10 on north-west side of Windrush valley

To be viewed at comfortable arm's length

Approximate extent of site
(not visible due to intervening vegetation and topography)

Folly Farm

Bovis development

The Lodge

To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: 429900, 210994
Date and Time: 07/10/2022 @ 11:13
Projection: Planar
Visualisation Type: 1

Horizontal Field of View: 39.6°
Height of Camera: 1.6m
Make, Model, Sensor: Canon 5D, FFS
Enlargement Factor: 100% @ A3

Direction of View: SE
Distance: 700m
aOD: 111m
Focal Length: 50mm

date
drawing number
drawn by
checked
QA
15 JANUARY 2023
edp7754_d019a
JFr
CMY
GYo

client
project title
drawing title
Catesby Strategic Land Limited
Land south of Burford Road, Minster Lovell
Proof Plan CM 8: Photoviewpoint EDP 7



Properties at Bushey Ground

To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: 430883, 209589
Date and Time: 07/10/2022 @ 10:17
Projection: Cylindrical
Visualisation Type: 1

Horizontal Field of View: 90°
Height of Camera: 1.6m
Make, Model, Sensor: Canon 5D, FFS
Enlargement Factor: 96% @ A1 width

Direction of View: N
Distance: 780m
aOD: 115m
Focal Length: 50mm

date
drawing number
drawn by
checked
QA
15 JANUARY 2023
edp7754_0019a
JFr
CMY
Gyo

client
project title
drawing title
Catesby Strategic Land Limited
Land south of Burford Road, Minster Lovell
Proof Plan CM 8: Photoviewpoint EDP 8



Approximate extent of site
(one field beyond hedge on far side of foreground field)

To be viewed at comfortable arm's length



To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: **429085, 210181**
Date and Time: **07/10/2022 @ 12:45**
Projection: **Planar**
Visualisation Type: **1**

Horizontal Field of View: **39.6°**
Height of Camera: **1.6m**
Make, Model, Sensor: **Canon 5D, FFS**
Enlargement Factor: **100% @ A3**

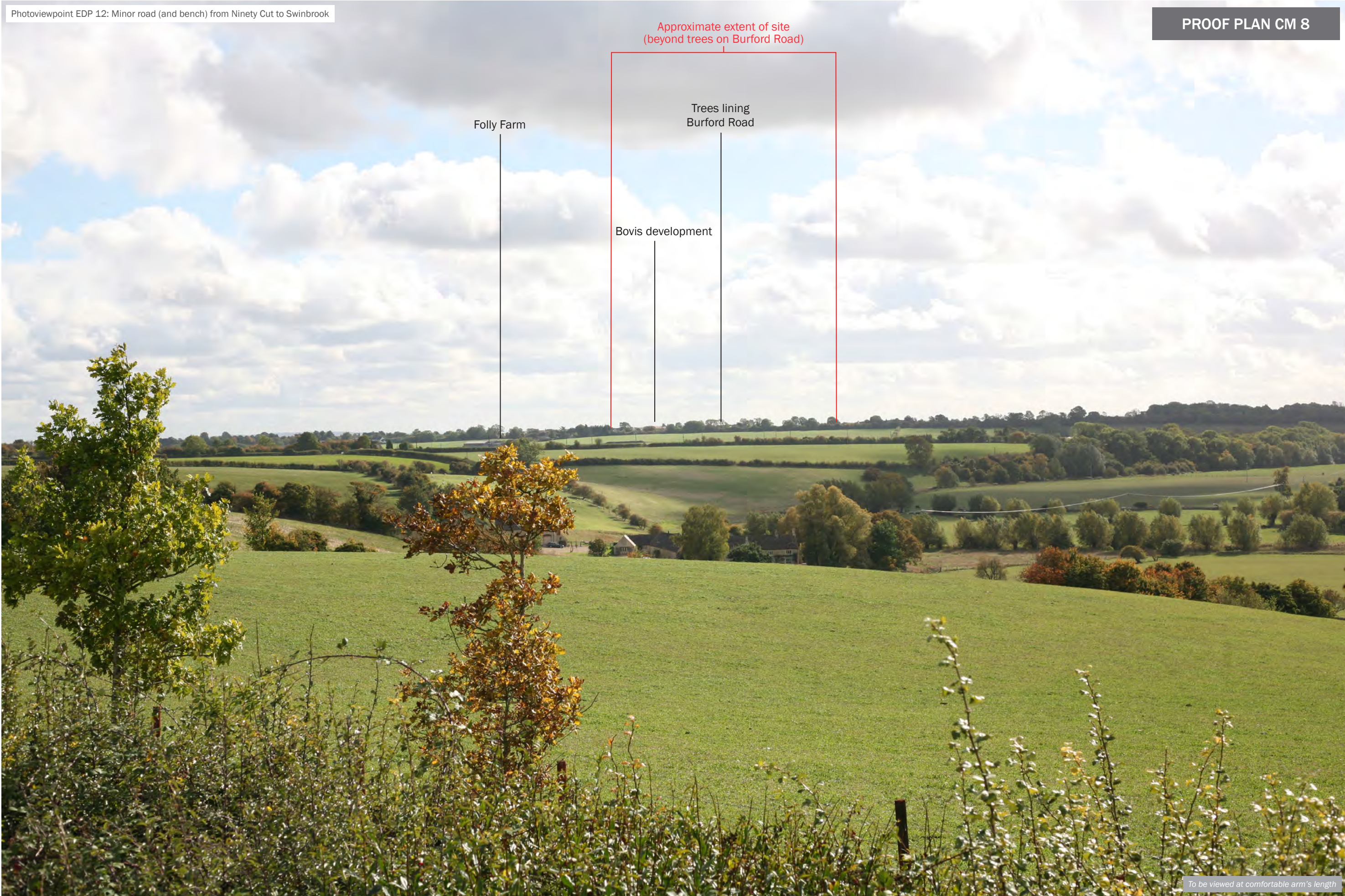
Direction of View: **E**
Distance: **1.5km**
aOD: **131m**
Focal Length: **50mm**

date **15 JANUARY 2023**
drawing number **edp7754_d019a**
drawn by **JFr**
checked **CMY**
QA **GYo**

client **Catesby Strategic Land Limited**
project title **Land south of Burford Road, Minster Lovell**
drawing title **Proof Plan CM 8: Photoviewpoint EDP 10**



To be viewed at comfortable arm's length



To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: 428849, 212030
Date and Time: 07/10/2022 @ 11:50
Projection: Planar
Visualisation Type: 1

Horizontal Field of View: 39.6°
Height of Camera: 1.6m
Make, Model, Sensor: Canon 5D, FFS
Enlargement Factor: 100% @ A3

Direction of View: SE
Distance: 2.1km
aOD: 130m
Focal Length: 50mm

date
drawing number
drawn by
checked
QA
15 JANUARY 2023
edp7754_d019a
JFr
CMY
GYo

client
project title
drawing title
Catesby Strategic Land Limited
Land south of Burford Road, Minster Lovell
Proof Plan CM 8: Photoviewpoint EDP 12

Approximate extent of site
(beyond trees on Burford Road)

Bovis development

Trees lining
Burford Road

Folly Farm

To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: 431945, 213192
Date and Time: 07/10/2022 @ 11:36
Projection: Planar
Visualisation Type: 1

Horizontal Field of View: 39.6°
Height of Camera: 1.6m
Make, Model, Sensor: Canon 5D, FFS
Enlargement Factor: 100% @ A3

Direction of View: SW
Distance: 2.7km
aOD: 140m
Focal Length: 50mm

date
drawing number
drawn by
checked
QA
15 JANUARY 2023
edp7754_d019a
JFr
CMY
GYo

client
project title
drawing title
Catesby Strategic Land Limited
Land south of Burford Road, Minster Lovell
Proof Plan CM 8: Photoviewpoint EDP 13

Approximate extent of site
(beyond trees on Burford Road)

Trees lining
Burford Road

Folly Farm

To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: 427706, 210607
Date and Time: 07/10/2022 @ 13:08
Projection: Planar
Visualisation Type: 1

Horizontal Field of View: 39.6°
Height of Camera: 1.6m
Make, Model, Sensor: Canon 5D, FFS
Enlargement Factor: 100% @ A3

Direction of View: E
Distance: 2.8km
aOD: 127m
Focal Length: 50mm

date
drawing number
drawn by
checked
QA
15 JANUARY 2023
edp7754_d019a
JFr
CMY
GYo

client
project title
drawing title
Catesby Strategic Land Limited
Land south of Burford Road, Minster Lovell
Proof Plan CM 8: Photoviewpoint EDP 14

Appendix EDP 4

Proof Plan CM 9: Winter Photoviewpoints EDP 1 to 14
(edp7754_d021 08 January 2024 GYo/MBe)

Photoviewpoint EDP 1: Burford Road at North-West Corner of Site

Photoviewpoint EDP 2: Burford Road at North-East Corner of Site, adjacent to Bovis Development

Photoviewpoint EDP 3: South-east corner of Bovis development, close to Ripley Avenue

Photoviewpoint EDP 4: Minster Lovell recreation ground

Photoviewpoint EDP 5: Brize Norton Road within Charterville Allotments

Photoviewpoint EDP 6: Bridleway BW 113/7/10 on north-west side of Windrush valley

Photoviewpoint EDP 7: Minor road through Worsham, close to The Bungalow

Photoviewpoint EDP 8: Footpath FP 302/8/10 to west of Brize Norton Road

Photoviewpoint EDP 9: Footpath FP 302/8/10 to south-east of White Hall Farm

Photoviewpoint EDP 10: Burford Road to east of roundabout junction with A40

Photoviewpoint EDP 11: Road from Asthall Leigh to Little Minster (C35444)

Photoviewpoint EDP 12: Minor road (and bench) from Ninety Cut to Swinbrook

Photoviewpoint EDP 13: Minster Ridings between Little Minster and Field Assarts

Photoviewpoint EDP 14: A40 at junction with minor road leading to Swinbrook







To be viewed at comfortable arm's length





Photoviewpoint EDP 5: Brize Norton Road within Charterville Allotments

Approximate extent of site
(not visible due to intervening vegetation and built form)

To be viewed at comfortable arm's length



Photoviewpoint EDP 6: Bridleway BW 113/7/10 on north-west side of Windrush valley

Approximate extent of site
(not visible due to intervening vegetation and topography)

Trees lining Burford Road to north of site

To be viewed at comfortable arm's length

Approximate extent of site
(not visible due to intervening vegetation and topography)

Folly Farm

Bovis development

The Lodge

To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: 429900, 210994
Date and Time: 05/01/2024 @ 10:30
Projection: Planar
Visualisation Type: 1

Horizontal Field of View: 39.6°
Height of Camera: 1.6m
Make, Model, Sensor: Sony A7 MK 2, FFS
Enlargement Factor: 100% @ A3

Direction of View: SE
Distance: 700m
aOD: 111m
Focal Length: 50mm

date
drawing number
drawn by
checked
QA
08 JANUARY 2024
edp7754_d021
GYo
MBe
VMS

client
project title
drawing title
Catesby Strategic Land Limited
Land south of Burford Road, Minster Lovell
Proof Plan CM 9: Winter Photoviewpoint EDP 7





Photoviewpoint EDP 9: Footpath FP 302/8/10 to south-east of White Hall Farm

Approximate extent of site
(one field beyond hedge on far side of foreground field)

PROOF PLAN CM 9

To be viewed at comfortable arm's length



To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: 429085, 210181
Date and Time: 05/01/2024 @ 12:49
Projection: Planar
Visualisation Type: 1

Horizontal Field of View: 39.6°
Height of Camera: 1.6m
Make, Model, Sensor: Sony A7 MK 2, FFS
Enlargement Factor: 100% @ A3

Direction of View: E
Distance: 1.5km
aOD: 131m
Focal Length: 50mm

date
drawing number
drawn by
checked
QA
08 JANUARY 2024
edp7754_d021
GYo
MBe
VMS

client
project title
drawing title
Catesby Strategic Land Limited
Land south of Burford Road, Minster Lovell
Proof Plan CM 9: Winter Photoviewpoint EDP 10



To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

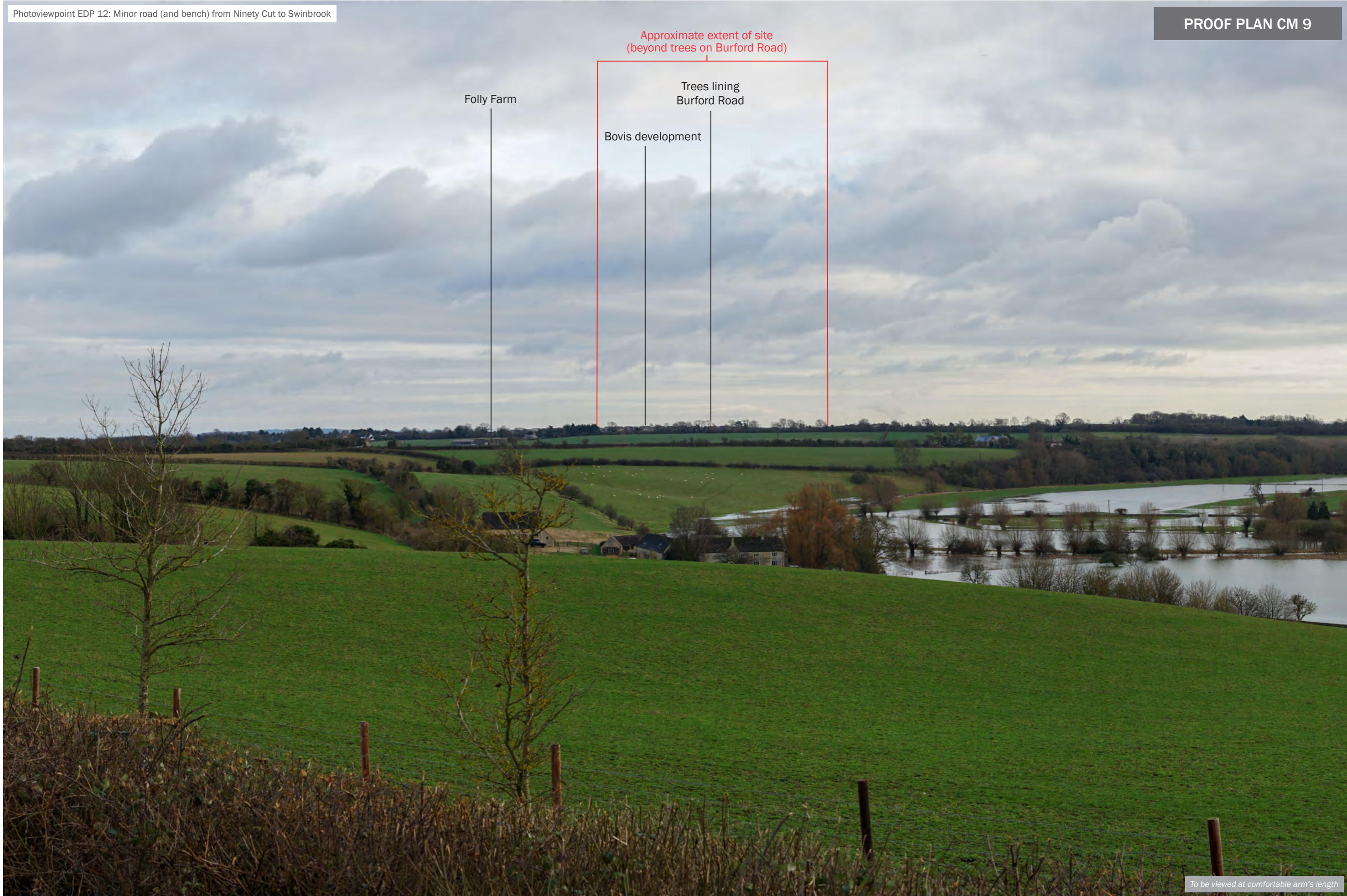
Grid Coordinates: **430866, 212261**
Date and Time: **05/01/2024 @ 10:55**
Projection: **Planar**
Visualisation Type: **1**

Horizontal Field of View: **39.6°**
Height of Camera: **1.6m**
Make, Model, Sensor: **Sony A7 MK 2, FFS**
Enlargement Factor: **100% @ A3**

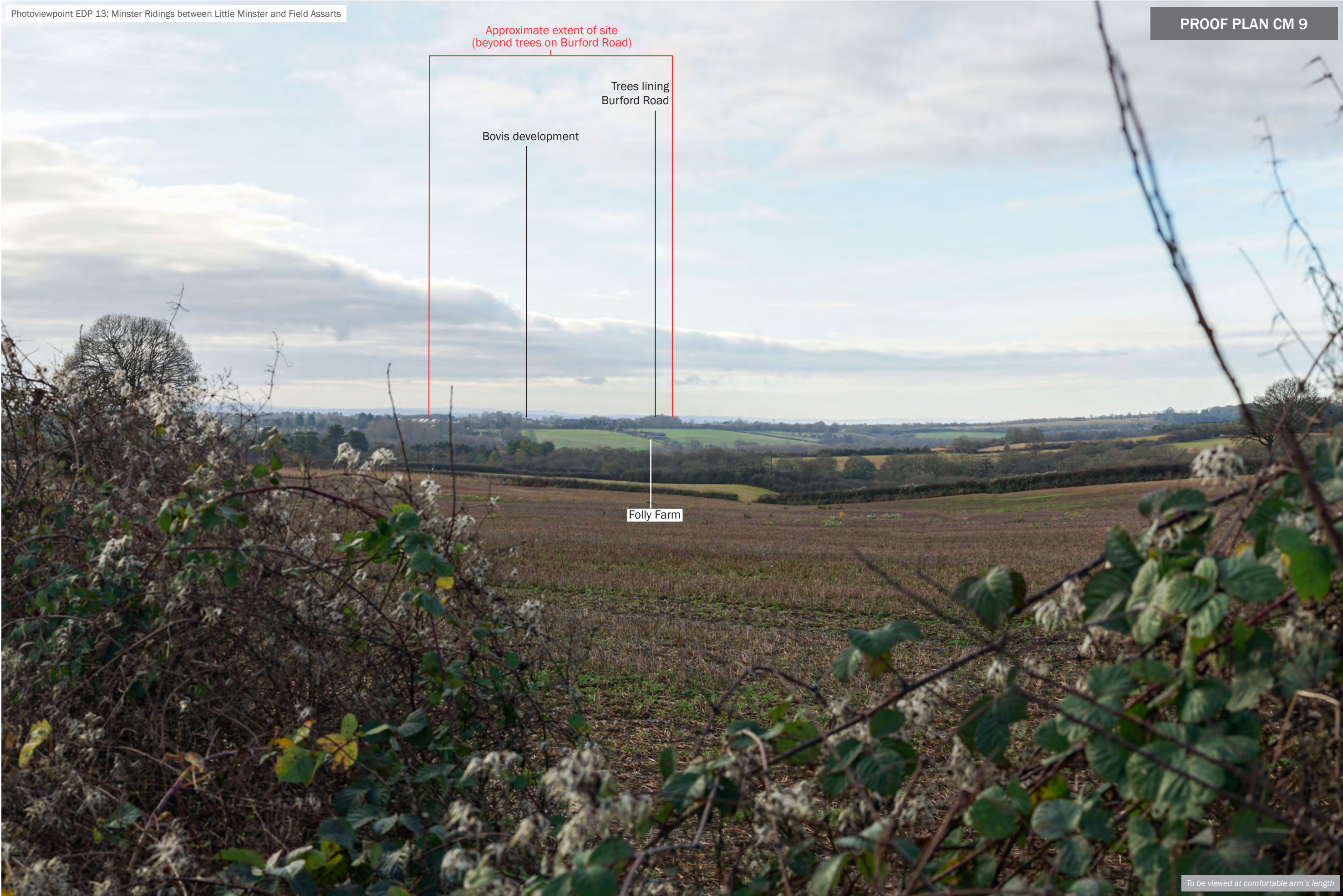
Direction of View: **SSW**
Distance: **1.5km**
aOD: **129m**
Focal Length: **50mm**

date **08 JANUARY 2024**
drawing number **edp7754_d021**
drawn by **GYo**
checked **MBe**
QA **VMS**

client **Catesby Strategic Land Limited**
project title **Land south of Burford Road, Minster Lovell**
drawing title **Proof Plan CM 9: Winter Photoviewpoint EDP 11**



To be viewed at comfortable arm's length



To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

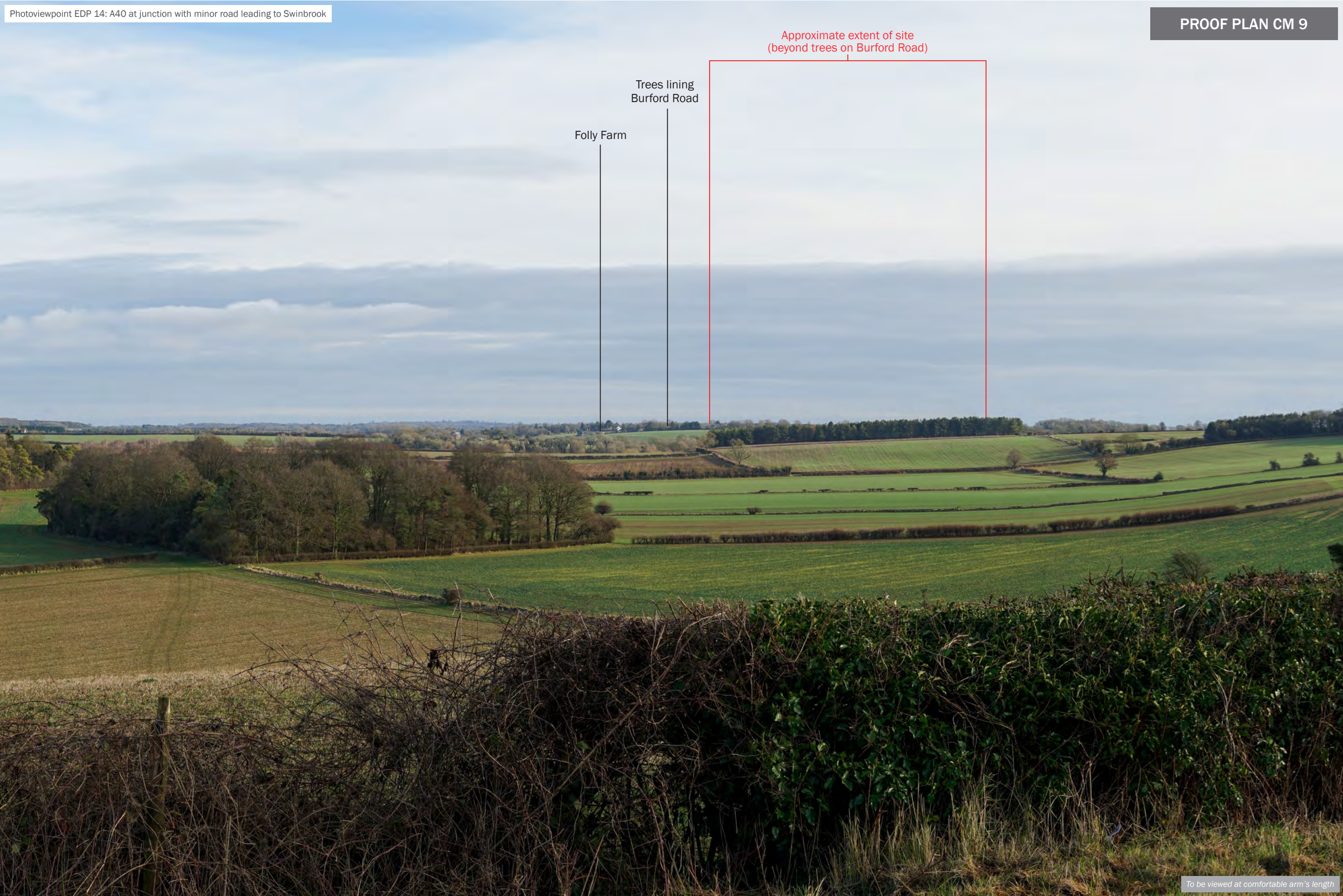
Grid Coordinates: 431945, 213192
Date and Time: 05/01/2024 @ 11:13
Projection: Planar
Visualisation Type: 1

Horizontal Field of View: 39.6°
Height of Camera: 1.6m
Make, Model, Sensor: Sony A7 MK 2, FFS
Enlargement Factor: 100% @ A3

Direction of View: SW
Distance: 2.7km
aOD: 140m
Focal Length: 50mm

date
drawing number
drawn by
checked
QA
08 JANUARY 2024
edp7754_d021
GYo
MBe
VMS

client
project title
drawing title
Catesby Strategic Land Limited
Land south of Burford Road, Minster Lovell
Proof Plan CM 9: Winter Photoviewpoint EDP 13



To be viewed at comfortable arm's length



the environmental
dimension partnership

Registered office: 01285 740427
www.edp-uk.co.uk
info@edp-uk.co.uk

Grid Coordinates: **427706, 210607**
Date and Time: **05/01/2024 @ 11:40**
Projection: **Planar**
Visualisation Type: **1**

Horizontal Field of View: **39.6°**
Height of Camera: **1.6m**
Make, Model, Sensor: **Sony A7 MK 2, FFS**
Enlargement Factor: **100% @ A3**

Direction of View: **E**
Distance: **2.8km**
aOD: **127m**
Focal Length: **50mm**

date **08 JANUARY 2024**
drawing number **edp7754_d021**
drawn by **GYo**
checked **MBe**
QA **VMS**

client **Catesby Strategic Land Limited**
project title **Land south of Burford Road, Minster Lovell**
drawing title **Proof Plan CM 9: Winter Photoviewpoint EDP 14**

Appendix EDP 5

Detailed Viewpoint Assessment

Table EDP A5.1: Summary of Effects on Representative Viewpoints Comparison

PVP No.	Location	Sensitivity of Receptor	Magnitude of Change and Year 1 Effects	Magnitude of Change and Year 15 Effects	Assessment
1	Burford Road at north-west corner of appeal site	Minor road users: Medium sensitivity	Very High Major/moderate	High Moderate	<p>From Burford Road the appeal site would be visible beyond the trees, and particularly through gaps in the vegetation forming the northern appeal site boundary. The Bovis development is a prominent existing feature of the view, and provides a developed context to the experience of travelling along the road. With the proposals in place, development would be brought closer to the viewer in this location, and would be stark at Year 1 owing to this prominence.</p> <p>At Year 15, the development would have softened, with the enhanced northern boundary providing greater screening, and the magnitude of change would reduce. The view would likely be similar to the edge of the Bovis scheme, although the scrub and tree planting proposed would soften this corner of the appeal site.</p> <p>Even with the high level of change predicted (which leads to the elevated effect), the proposals would not be inconsistent with the general character of the view.</p>
		Residential occupiers High sensitivity	Very High Major	High Major/moderate	
2	Burford Road at north-east corner	Minor road users Medium sensitivity	High Moderate	High Moderate	Receptors at this point are directly adjacent to the Bovis scheme (just out of view to the left) making residential development a

PVP No.	Location	Sensitivity of Receptor	Magnitude of Change and Year 1 Effects	Magnitude of Change and Year 15 Effects	Assessment
	of appeal site, adjacent to Bovis development	Residential occupiers High sensitivity	Very High Major	High Major/moderate	<p>feature of the view. The proposals would be partly screened from view for road users (the same way in which the appeal site is screened currently), although would be visible to the left of the large tree in the foreground. For residential receptors the views would be more open, thus there would be a higher magnitude of change – but only for those on the western edge of the Bovis development.</p> <p>In the longer term, views would be softened by the offset and proposed landscaping, but there would still be a high level of change.</p> <p>Even with the high level of change predicted (which leads to the elevated effect), the proposals would not be inconsistent with the general character of the view.</p>
3	SE corner of Bovis development, close to Ripley Avenue	Residential occupiers High sensitivity	Very High Major	High Major/moderate	<p>The existing view contains (relatively stark) elements of the Bovis scheme, and is in effect a 'newly available' view afforded by the POS of the Bovis scheme. The change to the view would see built development extending to the left, in front of the internal hedgerow, approximately half way between the existing buildings and the hedgerow to the left. The main area of POS would be located immediately to the left of the view, maintaining a green and verdant character.</p> <p>Although there is already a built context to the view, the change would be very high at Year 1, but would reduce as the planting in the POS matures and softens the view, and screens some built elements.</p>

PVP No.	Location	Sensitivity of Receptor	Magnitude of Change and Year 1 Effects	Magnitude of Change and Year 15 Effects	Assessment
4	Minster Lovell recreation ground	Recreation ground users Medium sensitivity	Medium Moderate/minor	Low Minor	The current view contains existing parts of Minster Lovell (Ripley Avenue) and the well contained recreation ground. The proposals would be visible above/through the hedgerow/trees in the foreground, although would not be a prominent addition to the view. As the landscape proposals within the area of POS mature, there would be very limited residual visibility in the long term.
5	Brize Norton Road within Charterville Allotments	Minor road in urban areas Low sensitivity	Very Low Negligible	Very Low Negligible	The view shows a Charterville villa on Brize Norton Road within its curtilage, and other urban features and buildings. Beyond the built form, there are glimpsed views of the top of houses in the Bovis scheme, beyond the vegetation within rear gardens of properties to the west of Brize Norton Road. The development may be visible in a similar fashion to the Bovis scheme, although from rear gardens change would be higher, hence the higher magnitude of change rating.
		Residential occupiers High sensitivity	Medium Moderate	Low Moderate/minor	
6	Bridleway BW 113/7/10 on north-west side of Windrush valley	PRoW users within AONB Very high sensitivity	Low Moderate	Very Low Moderate/minor	The view provided is one of the few locations where a gap exists in the valley vegetation to allow a view to the higher land where the appeal site is located; the view is very much a worst case from this PRoW receptor. The trees visible on this high ground are those along Burford Road. The topography and intervening vegetation mean that any views would be limited in their extent, likely to glimpsed views of rooflines or house frontages. As the landscaping along the northern boundary matures/is enhanced, the long term change would reduce.
7	Minor road through	Minor road within AONB High sensitivity	Very Low Minor	Imperceptible Negligible	The horizon to this view shows the vegetation aligning Burford Road, and beyond this the new Bovis scheme is visible, slightly below the peak of the elevated ground. Views through the winter vegetation are

PVP No.	Location	Sensitivity of Receptor	Magnitude of Change and Year 1 Effects	Magnitude of Change and Year 15 Effects	Assessment
	Worsham, close to The Bungalow	Residential occupiers Very high sensitivity	Very Low Moderate/minor	Imperceptible Negligible	available, although heavily fragmented and the built form is a minor element of the view. The proposals would be visible in this context, and would add to the view, but largely in areas where existing development (the Bovis scheme and The Lodge) provide a developed context.
8	Footpath FP 302/8/10 to west of Brize Norton Road	PRoW users High sensitivity	Medium Moderate	Low Moderate/minor	The current view contains a predominantly agricultural view, with the more vegetated settlement of Minster Lovell to the right. Large trees are common in the hedgerows, but the character is typical of the LCA, in being quite open and exposed. It is likely that roof tops will be visible beyond the hedgerow on the horizon, which would add to the existing built development visible to the right, at Bushey Ground. In the longer term, the new hedgerow along the southern boundary, and other vegetation, will mature reducing the visible extent of development.
9	Footpath FP 302/8/10 to south-east of White Hall Farm	PRoW users High sensitivity	Medium Moderate	Low Moderate/minor	This view is very similar to Photoviewpoint EDP 8 , although the distant woodland within the AONB is visible on the horizon as a very minor element of the view. It is likely that some of this visibility would be lost, with the proposals being visible in front of the wooded horizon, and a medium magnitude is considered appropriate as a result. Longer term, views of housing is likely to be replaced by views of the landscaping on the southern boundary, thus reducing the magnitude and effect.
10	Burford Road to east of roundabout junction with A40	Minor road users Medium sensitivity	Very Low Minor/negligible	Imperceptible Negligible	Very limited visibility is available of either the vegetation around the site or the neighbouring Bovis scheme. The proposals would add to the extent built development visible, but the change would be very low and reduce once the mitigation has established. For most viewers the change would not be readily experienced, especially for those focussed on the road (whilst driving).
		Residential occupiers High sensitivity	Very Low Minor	Imperceptible Negligible	

PVP No.	Location	Sensitivity of Receptor	Magnitude of Change and Year 1 Effects	Magnitude of Change and Year 15 Effects	Assessment
11	Road from Asthall Leigh to Little Minster (C35444)	Minor road within AONB High sensitivity	Very Low Minor	Imperceptible Negligible	Even in winter months, the vegetation bordering Burford Road provides a fairly solid line, beyond which views are limited, especially at a distance of 1.5km. Compared to the existing view, in which the Bovis scheme is visible through gaps in the vegetation along the road, and other built form is visible (e.g. at Folly Farm) the proposals would represent a very low magnitude of change.
		Residential occupiers Very high sensitivity	Very Low Moderate/minor	Imperceptible Negligible	
12	Minor road (and bench) from Ninety Cut to Swinbrook	Minor road within AONB High sensitivity	Very Low Minor	Imperceptible Negligible	As for a number of other views within the AONB, the vegetation along Burford Road forms the horizon, and the Bovis scheme and other individual dwellings are visible beyond/through this, although ridges tend to stay below the tops of this vegetation. The proposals would be visible in this context, and at a distance of 2.1km would lead to a very low level of change.
13	Minster Ridings between Little Minster and Field Assarts	Minor road within AONB High sensitivity	Very Low Minor	Imperceptible Negligible	Glimpsed views available of the Bovis scheme through the vegetation on Burford Road, which is a character that will remain with the proposals in place. The Bovis will screen parts of the site due to the orientation of views but some frontage plots are likely to be visible through the vegetation, reflecting a very low magnitude of change.
14	A40 at junction with minor road leading to Swinbrook	Main road on edge of AONB Medium sensitivity	Very Low Minor/negligible	Imperceptible Negligible	The majority of the proposals will be screened by the intervening vegetation, particularly the evergreen shelterbelt in the middleground to the view. At nearly 3km from the site, any visibility will be <i>de minimis</i> , and represent a very low change at the worst. The verdant view will remain, with glimpses of buildings reflecting the status quo.
		Minor road within AONB High sensitivity	Very Low Minor	Imperceptible Negligible	

Plans

Proof Plan CM 1: Site Boundary and Site Location

(edp7754_d012 07 December 2023 VMS/CMy)

Proof Plan CM 2: Site Character and Context

(edp7754_d013 07 December 2023 VMS/CMy)

Proof Plan CM 3: Relevant Designations and Considerations

(edp7754_d014 07 December 2023 VMS/CMy)

Proof Plan CM 4: Topographical Relief

(edp7754_d015 07 December 2023 VMS/CMy)

Proof Plan CM 5: Published Landscape Character Assessments (County)

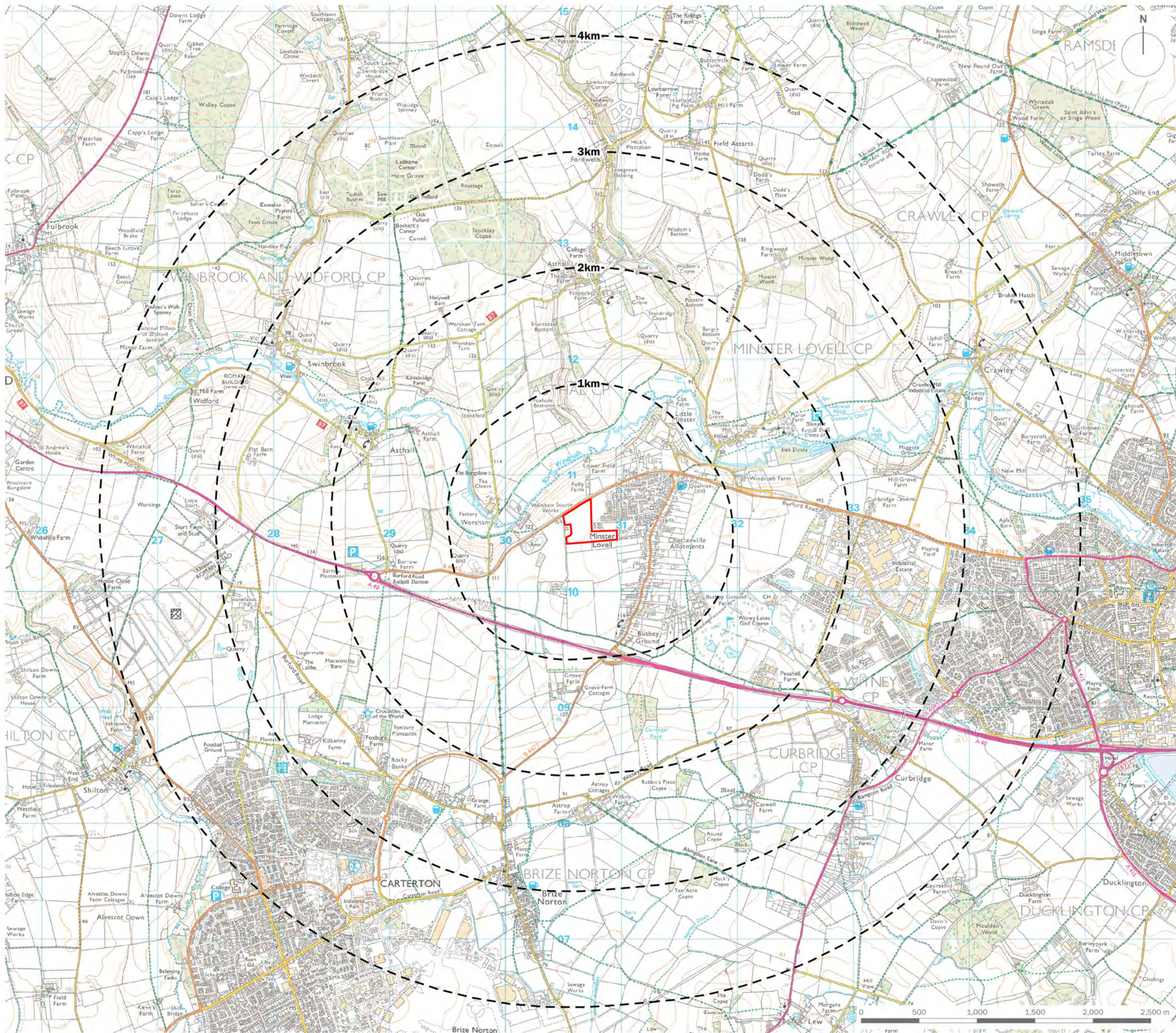
(edp7754_d016 07 December 2023 VMS/CMy)

Proof Plan CM 6: Published Landscape Character Assessments

(edp7754_d017 07 December 2023 VMS/CMy)

Proof Plan CM 7: Findings of Visual Appraisal

(edp7754_d018 07 December 2023 VMS/CMy)



PROOF PLAN CM 1

- Site Boundary
- Range Rings (at 1km intervals)
- 2km Detailed Study Area

client	Catesby Strategic Land Limited		
project title	Land south of Burford Road, Minster Lovell		
drawing title	Proof Plan CM 1: Site Boundary and Site Location		
date	07 DECEMBER 2023	drawn by	VMS
drawing number	edp7754_d012	checked	CMy
scale	1:32,000 @ A3	QA	GYo



Registered office: 01285 740427 · www.edp-uk.co.uk · info@edp-uk.co.uk



PROOF PLAN CM 2

- Site Boundary
- 10m Contour
- National Forest Inventory
- Public Right of Way (PRoW)
- Watercourse
- Roads
 - A Road
 - B Road

client
Catesby Strategic Land Limited

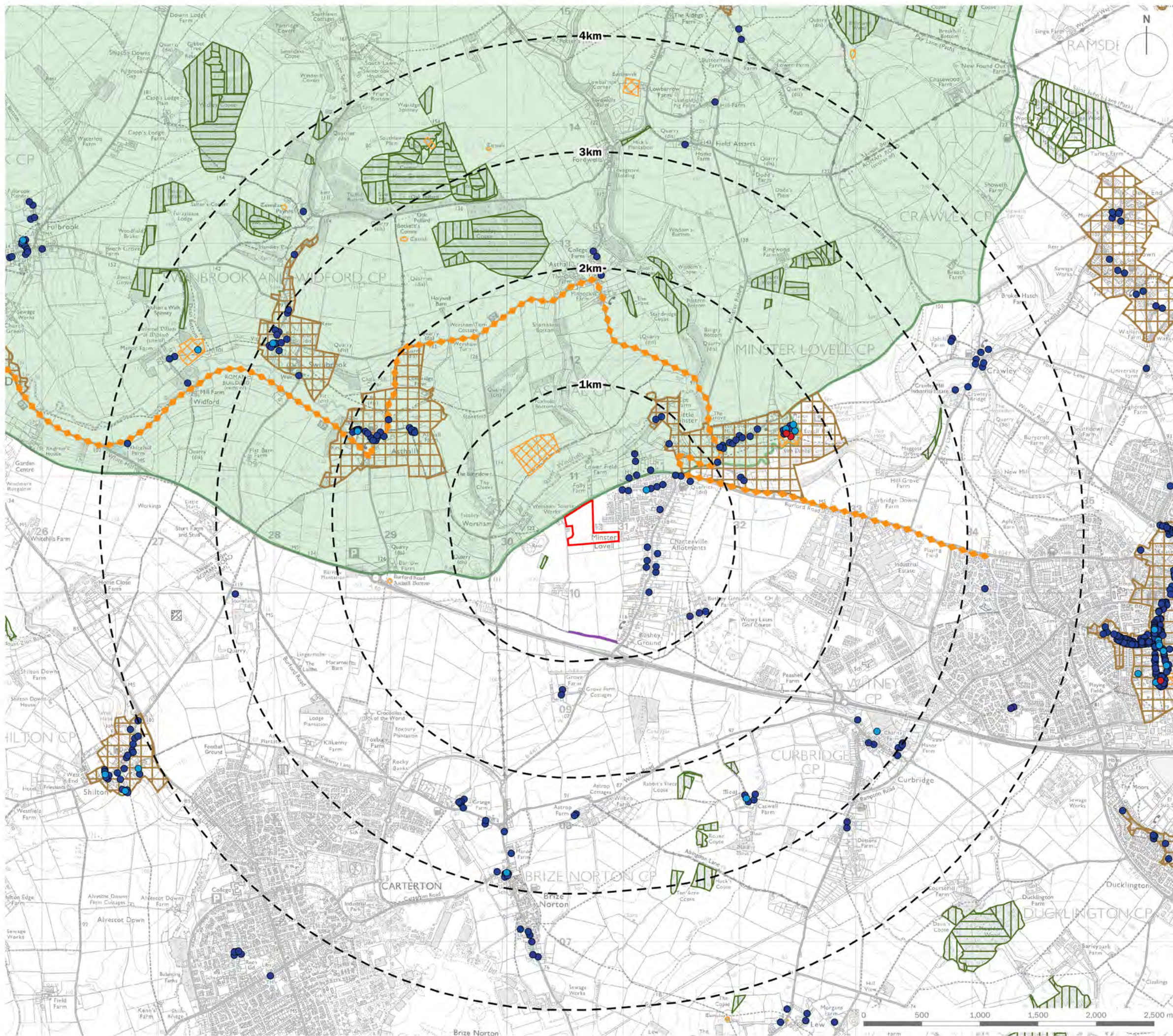
project title
Land south of Burford Road, Minster Lovell

drawing title
Proof Plan CM 2: Site Character and Context

date	07 DECEMBER 2023	drawn by	VMS
drawing number	edp7754_d013	checked	CMY
scale	1:10,000 @ A3	QA	GYo

edp the environmental dimension partnership

Registered office: 01285 740427 - www.edp-uk.co.uk - info@edp-uk.co.uk



PROOF PLAN CM 3

- Site Boundary
- Range Rings (at 1km intervals)
- 2km Detailed Study Area
- Landscape**
 - Area of Outstanding Natural Beauty
 - National Cycle Network
- Ecology**
 - Site of Special Scientific Interest (SSSI)
 - Ancient Semi-natural Woodland
 - Plantation on Ancient Woodland Site
- Heritage**
 - Scheduled Monument
 - Conservation Area
 - Grade I Listed Building
 - Grade II* Listed Building
 - Grade II Listed Building

client

Catesby Strategic Land Limited

project title

Land south of Burford Road, Minster Lovell

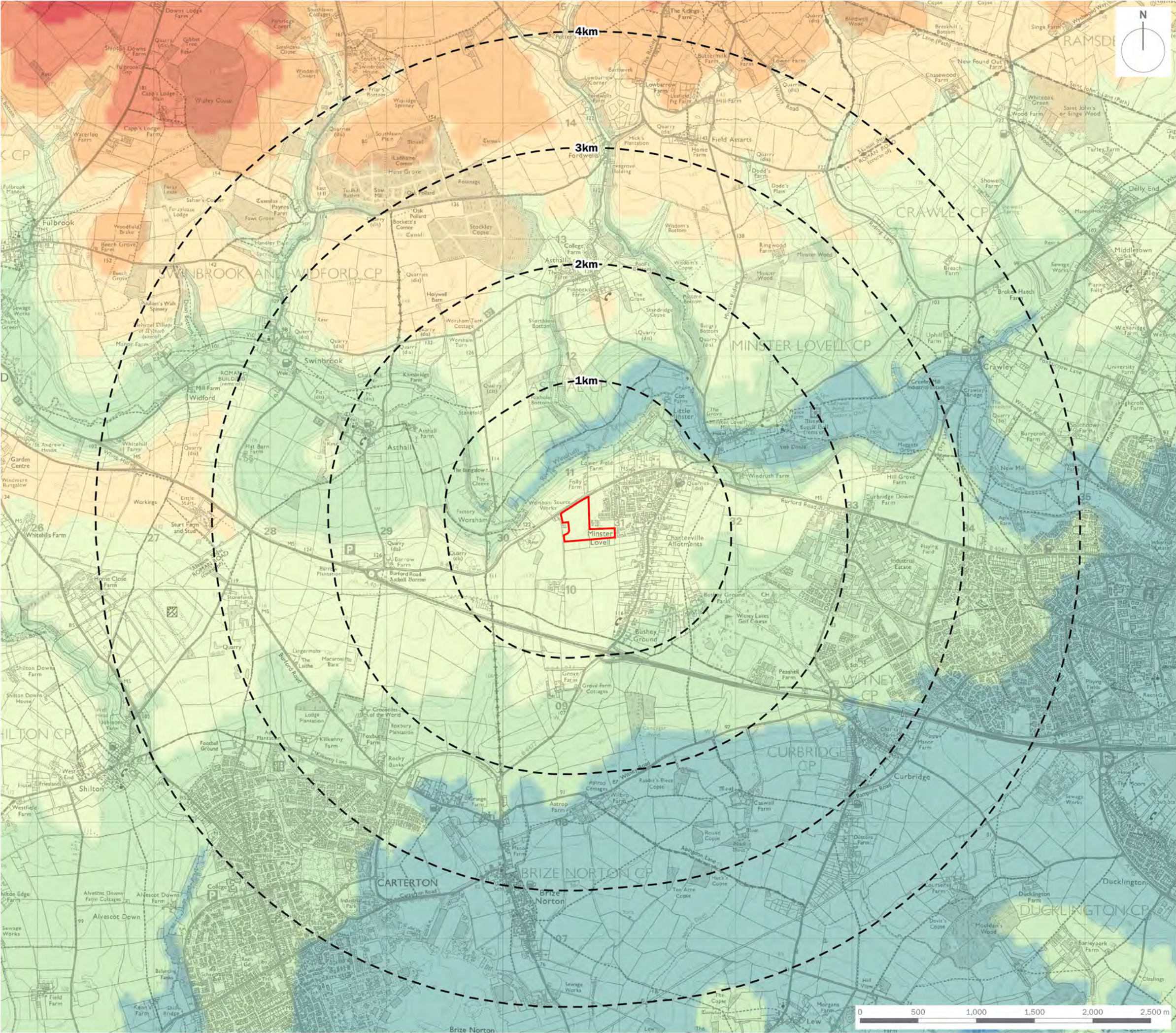
drawing title

Proof Plan CM 3: Relevant Designations and Considerations

date	07 DECEMBER 2023	drawn by	VMS
drawing number	edp7754_d014	checked	CMY
scale	1:32,000 @ A3	QA	GYo

edp the environmental dimension partnership

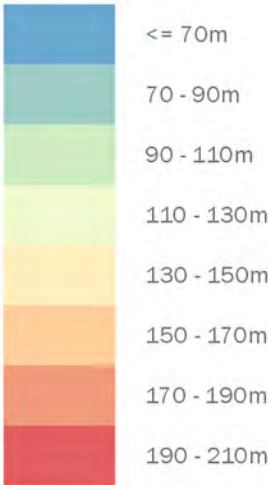
Registered office: 01285 740427 - www.edp-uk.co.uk - info@edp-uk.co.uk



PROOF PLAN CM 4

- Site Boundary
- Range Rings (at 1km intervals)
- 2km Detailed Study Area

Elevation (aoD)



client
Catesby Strategic Land Limited

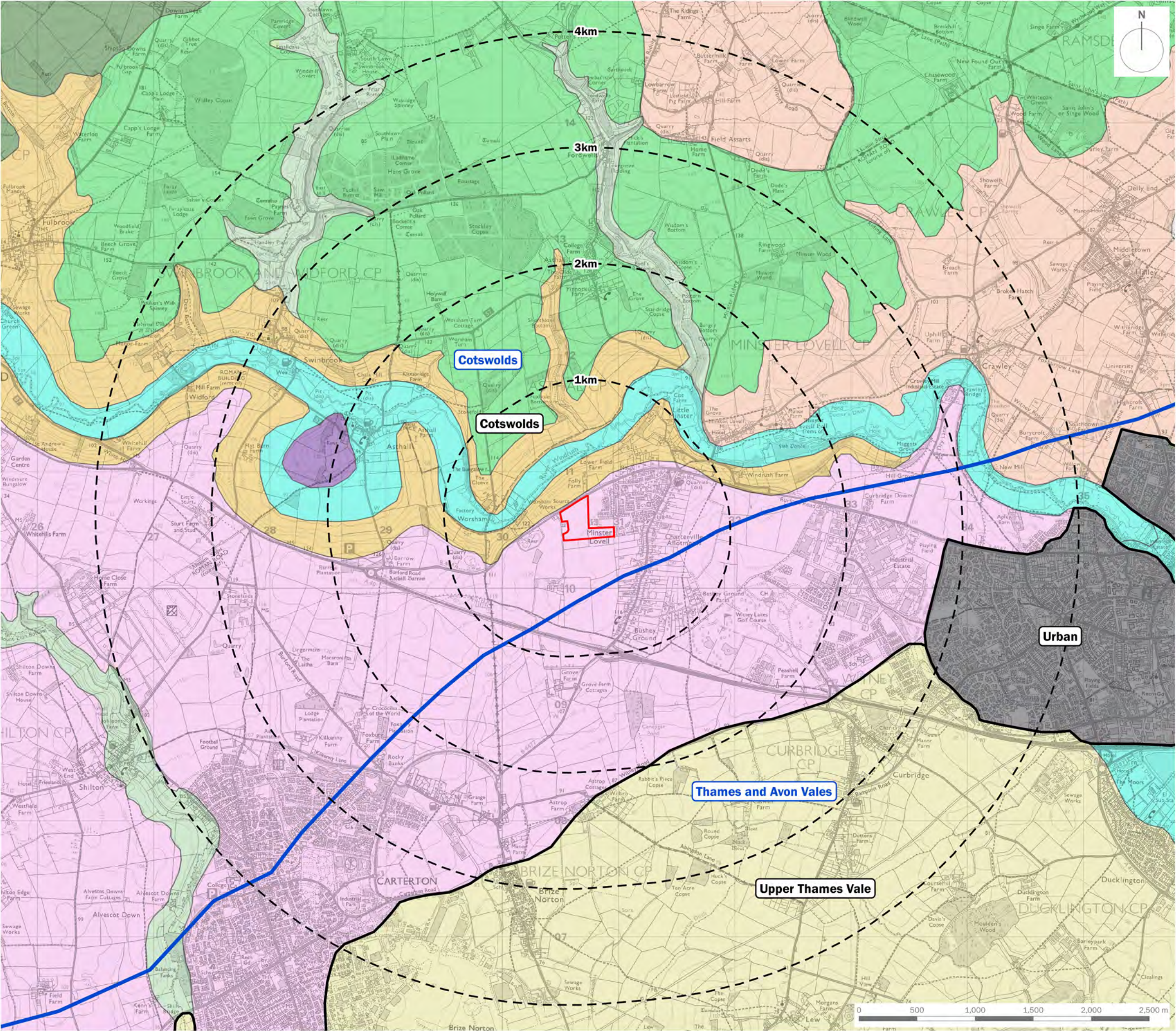
project title
Land south of Burford Road, Minster Lovell

drawing title
Proof Plan CM 4: Topographical Relief

date **07 DECEMBER 2023** drawn by **VMS**
drawing number **edp7754_d015** checked **CMy**
scale **1:32,000 @ A3** QA **GYo**



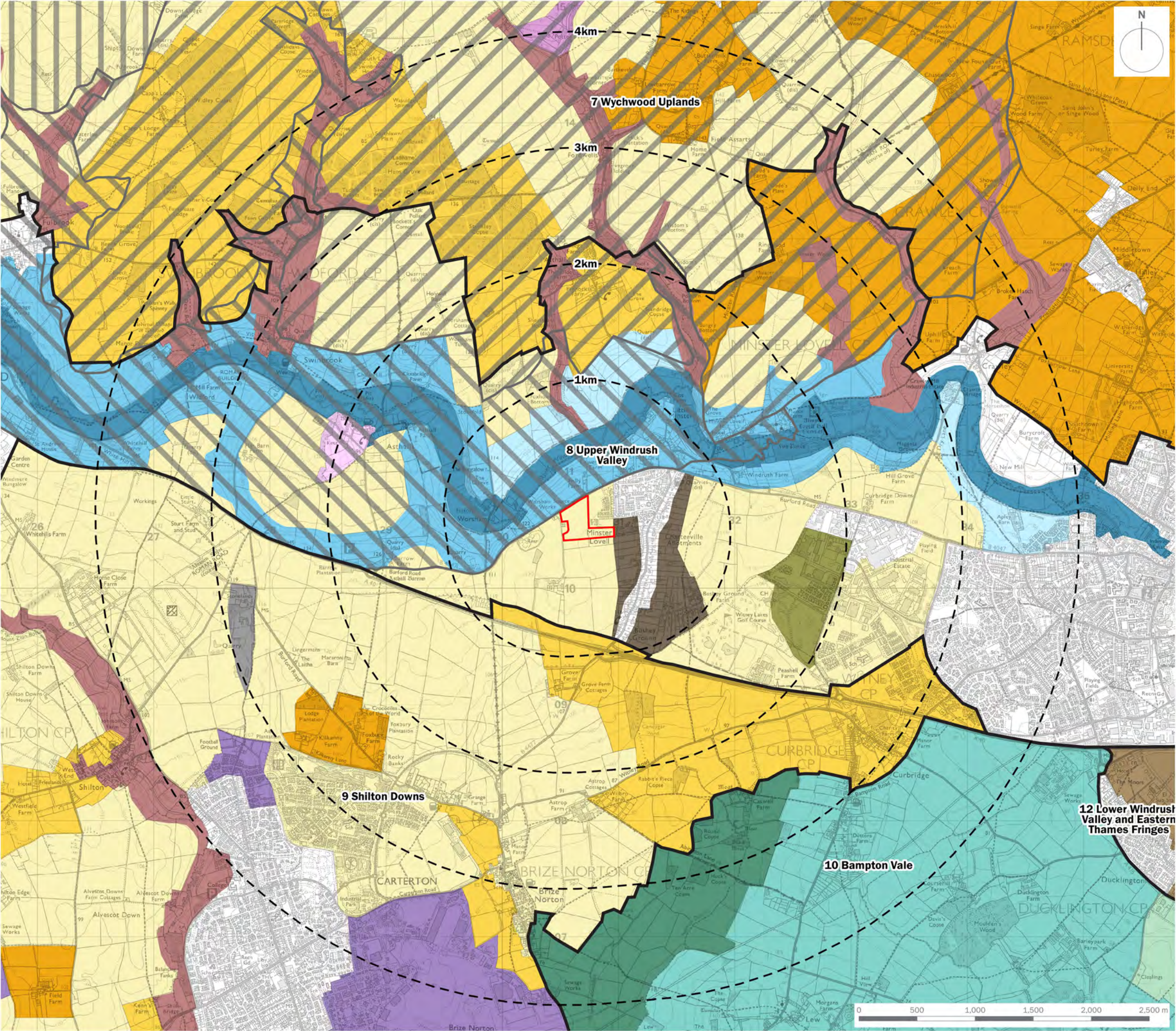
Registered office: 01285 740427 · www.edp-uk.co.uk · info@edp-uk.co.uk



PROOF PLAN CM 5

- Site Boundary
 - Range Rings (at 1km intervals)
 - 2km Detailed Study Area
 - National Character Areas
 - Regional Character Areas
- County Landscape Types (Oxfordshire Wildlife & Landscape Study)
- Estate Farmlands
 - Farmland Hills
 - Farmland Slopes and Valley Sides
 - Lowland Village Farmlands
 - River Meadowlands
 - Settled Ancient Pastures
 - Urban Areas
 - Wooded Farmland
 - Wooded Pasture Valleys and Slopes
 - Farmland Plateau

client	Catesby Strategic Land Limited		
project title	Land south of Burford Road, Minster Lovell		
drawing title	Proof Plan CM 5: Published Landscape Character Assessments		
date	07 DECEMBER 2023	drawn by	VMS
drawing number	edp7754_d016	checked	CMy
scale	1:32,000 @ A3	QA	GYo



PROOF PLAN CM 6

- Site Boundary
- Range Rings (at 1km intervals)
- 2km Detailed Study Area

Cotswold AONB Landscape Character Assessment

- 7: High Wold
- 9: High Wold Dip-Slope
- 16: Broad Flood Plain Valley

West Oxfordshire Landscape Assessment

- Landscape Character Areas

Landscape Character Types:

- Airfields and MOD Land
- Estate Farmland
- Floodplain Pasture
- Minerals and Landfill Sites
- Minor Valleys
- Open Limestone Wolds
- Open Rolling Vale Farmland
- Open Valley-side Farmland
- Parkland
- Rural Fringe Land
- Semi-enclosed Flat Vale Farmland
- Semi-enclosed Limestone Wolds (large-scale)
- Semi-enclosed Limestone Wolds (smaller-scale)
- Semi-enclosed Rolling Vale Farmland
- Semi-enclosed Valley-side Farmland
- Sport Landscapes
- Valley Floor Farmland

client

Catesby Strategic Land Limited

project title

Land south of Burford Road, Minster Lovell

drawing title

Proof Plan CM 6: Published Landscape Character Assessments

date	07 DECEMBER 2023	drawn by	GYo
drawing number	edp7754_d017	checked	CMY
scale	1:32,000 @ A3	QA	JFr



Registered office: 01285 740427 · www.edp-uk.co.uk · info@edp-uk.co.uk



CARDIFF
02921 671900

CHELTENHAM
01242 903110

CIRENCESTER
01285 740427

info@edp-uk.co.uk
www.edp-uk.co.uk

The Environmental Dimension Partnership Ltd. Registered as a Limited Company in England and Wales. Company No. 09102431. Registered Office: Quarry Barn, Elkstone Studios, Elkstone, Gloucestershire GL53 9PQ



**URBAN
DESIGN
GROUP** REGISTERED PRACTICE



**Landscape
Institute**
Registered practice