

Land at Dilmore Lane, Fernhill Heath

Appeal Ref: APP/H1840/W/24/3346731

LPA Ref: W/23/01323/OUT

Landscape and Visual Proof of Evidence

September 2024

By LDA Design on behalf of Lioncourt Strategic

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This document has been prepared and checked in accordance with ISO 9001:2015.

1.0 Qualifications, Experience and Professional Expertise

1.1. Professional Qualifications

- 1.1.1. My name is Paul Andrew Lishman. I have a First Class Undergraduate Masters Degree in Landscape Planning and Management (MLPM) from the University of Manchester and an MSc in Spatial Planning from Oxford Brookes University. I am a Chartered Member of the Landscape Institute (CMLI) and Director at LDA Design Consulting Limited (LDA Design), an independent design, environment and sustainability consultancy.
- 1.1.2. I have around twenty years' experience in the landscape profession within the UK, with expertise in landscape character assessment, landscape and visual impact assessment (LVIA), and landscape-led design. I have prepared LVIA's and provided design guidance for a wide range of development proposals, including nationally significant infrastructure projects; mixed-use urban extensions and residential developments of varying size. I also have experience of dealing with development proposals within (and in the setting of) protected landscapes, such as National Landscapes, and within areas designated as Green Belt.
- 1.1.3. A significant part of my role at LDA Design is the orchestration of the landscape, environmental, design and planning inputs to mixed-use and residential development projects. As such, I understand, and am experienced in, the interactions between environmental assessment, good design and development consenting process.
- 1.1.4. I understand my duty to the Inquiry and have complied, and will continue to comply, with that duty. I confirm that this Proof of Evidence (PoE) identifies all facts which I regard as being relevant to the opinions that I have expressed, and that the Inquiry's attention has been drawn to any matter which would affect the

validity of those opinions. I believe that the facts stated within this PoE are true and that the opinions expressed are correct.

2.0 Background to the Appeal

2.1. The Application

2.1.1. Lioncourt Strategic Land ('the Appellant') submitted an outline planning application (OPA) in August 2023 for residential development at Land at Dilmore Lane, Fernhill Heath.

2.1.2. The description of development ('the Proposed Development') is as follows:

Residential development for up to 130 dwellings (Use Class C3), including vehicular access from Dilmore Lane, pedestrian and cycle links, public open space, car parking, drainage, landscaping and other associated infrastructure. All matters reserved except for access.

2.1.3. The OPA was recommended for approval by the Case Officer but was refused planning permission at Planning Committee in May 2024, with the Appellant subsequently lodging an Appeal.

2.2. The Appeal Site

2.2.1. The Appeal Site is located on agricultural land to the north of the village of Fernhill Heath. It extends from Dilmore Lane in the west up to the existing settlement edge (adjoining Firlands Close / Chestnut Close) to the east. It abuts the settlement edge to the south – along Suffolk Way – and adjoins open countryside to the north. The total Appeal Site area is approximately 8ha.

2.2.2. The Appeal Site falls entirely within the Wychavon District Council (WDC) administrative area.

2.2.3. The location of the Appeal Site is illustrated on **Figure 1** below.

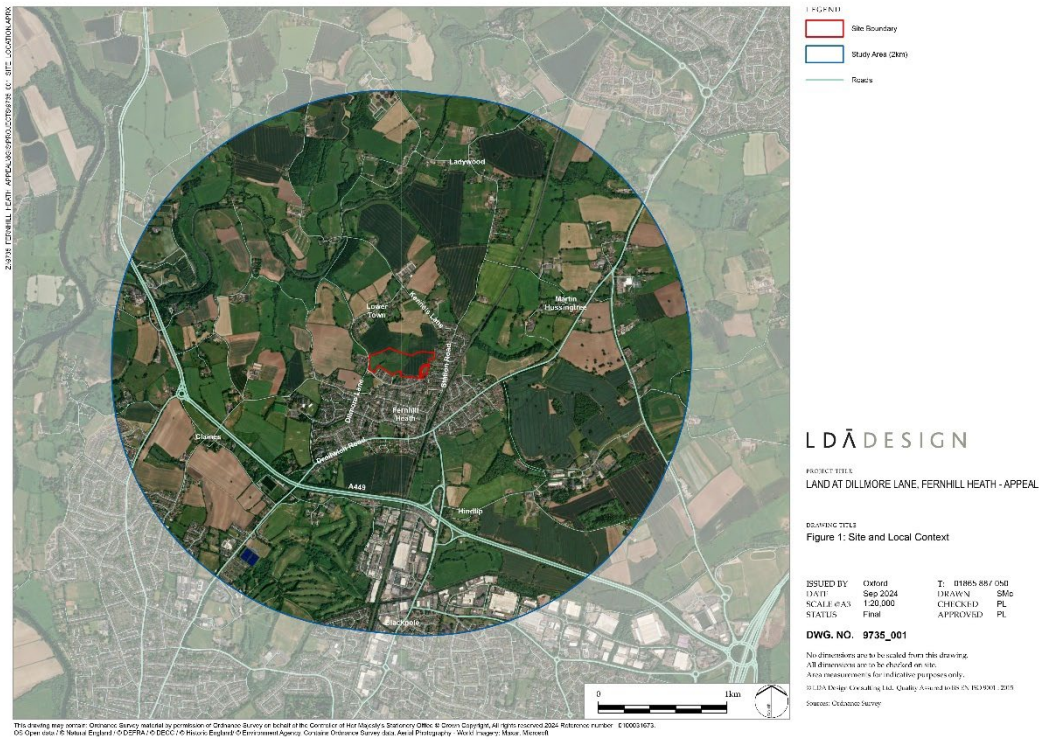


Figure 1: Appeal Site - Location (please see Appendix 1 for main figures)

2.2.4. The relationship of the Appeal Site relative to the local settlement context - including key features within and around Fernhill Heath – are illustrated on **Figure 2** below.

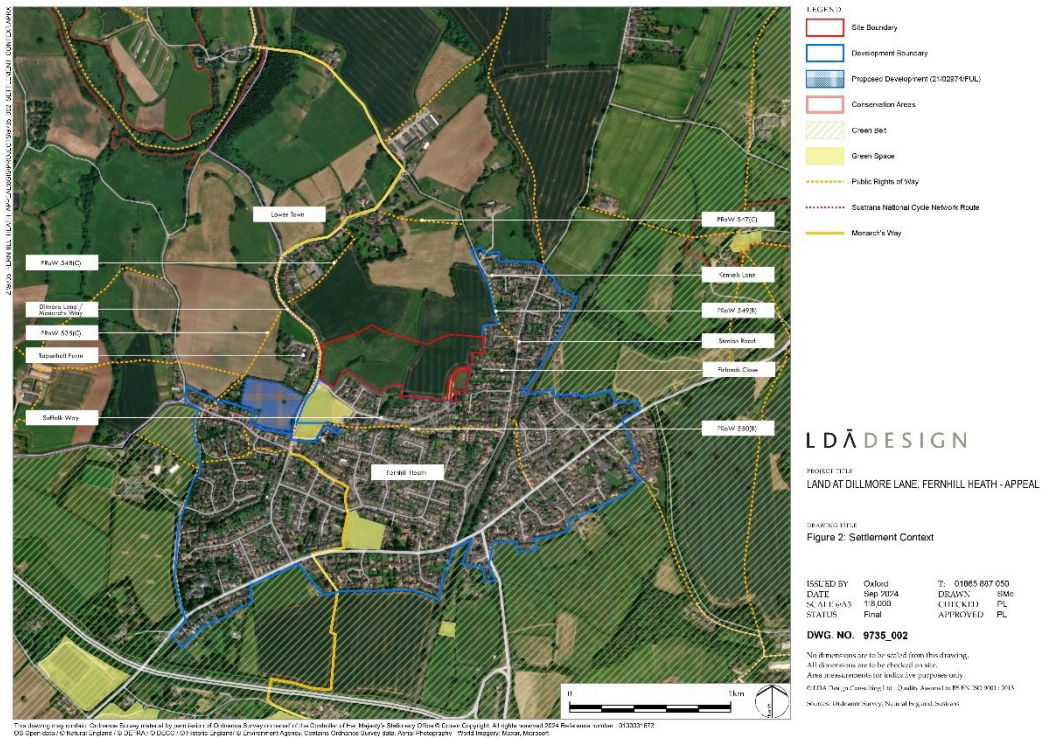


Figure 2: Appeal Site – Settlement Context (please see Appendix 1 for main figures)

2.3. Design and Assessment

- 2.3.1. LDA Design was appointed by the Appellant in January 2023 to provide masterplanning, landscape design and landscape assessment services in relation to the Proposed Development; and acted as lead consultant, coordinating wider team inputs into the masterplan. As such the masterplanning was an entirely iterative process, such that the design of the Proposed Development was informed by the findings and recommendations of various environmental and technical studies.
- 2.3.2. I held overall responsibility for LDA Design’s inputs, including the masterplan, Design and Access Statement (DAS); and Landscape and Visual Appraisal (LVA).
- 2.3.3. As part of the process, I have visited the Appeal Site on numerous occasions, and I will revisit the Appeal Site ahead of the Inquiry.

2.4. Determination

Planning Committee Report

2.4.1. The OPA was recommend for approval by the Case Officer.

2.4.2. In the 'Planning Committee Report' (May 2024) (CD 1) the Case Officer identified some harm to landscape character / views; the loss of Best and Most Versatile (BMV) agricultural land; and the setting of Tappenhill Farmhouse, which is a Grade listed building. However, it was concluded that the harms identified would not significantly and demonstrably outweigh the benefits of the scheme. Benefits included:

- Much needed housing in the context of the current housing land supply deficit
- In excess of 10% Biodiversity Net Gain (BNG)
- Economic benefits associated with the construction and occupation

2.4.3. In relation to landscape harm, the Case Officer concluded that:

"...there would be inevitable landscape harm by virtue of developing a greenfield site. However, the development would be viewed from the north and west/northwest against the backdrop of existing settlement in Fernhill Heath. The nature of those views would be similar to those currently existing but brought further northwards than at present. The site would be contained in the wider landscape to the south and east by that existing development but would be visible from those residential areas adjacent. As such, the harm to the landscape would be limited."

2.4.4. Other points highlighted in the Planning Committee Report – of most relevance to the design, landscape and visual context – include (my emphasis underlined):

- Acknowledgment from the Conservation Officer that, in relation to Tappenhill Farm, "...an effort has been made to mitigate any impact the proposal may have, in

locating built development further away from the farm to the east of the plot, with some integrated planting between”.

- Finding of the Case Officer that the “... illustrative masterplan is well considered and would provide for a logical expansion of the existing settlement in this location. Whilst matters relating to appearance, layout, scale, and landscaping would be dealt with at the detailed design stage, it is considered that the scheme is capable of delivering high quality and visually attractive design”.
- Acknowledgment from the Landscape Officer that “...the indicative layout as proposed would maintain a rural context to Dilmore Lane, which connects with the open countryside beyond, and would retain open fields providing separation from the separate settlement of Lower Town to the north”.
- Acknowledgment from the Landscape Officer that “...that proposed development, as shown indicatively on the Illustrative Masterplan, would be viewed from the north and west/northwest against the backdrop of existing settlement in Fernhill Heath. The nature of those views would be similar to those currently existing but brought further northwards than at present. The site would be contained in the wider landscape to the south and east by that existing development but would be visible from those residential areas adjacent.”

2.4.5. Overall, the Landscape Officer did not object to the proposed development on landscape and visual grounds; and the Case Officer concluded that the Proposed Development was therefore acceptable in relation to landscape and visual matters.

2.4.6. It is noted in the ‘Planning Committee Report’ that the Parks and Green Officer considered that the locations of the proposed play areas were not appropriate, being better located within the new development rather than towards the edges of the Appeal Site. I consider the location of the play areas to be entirely acceptable, positioned where they will most benefit both the new and existing community and helping to support integration with the existing settlement area.

2.4.7. The locations of the play areas are indicative only and can be controlled by Reserved Matters applications. I also note that design (including play space) does

not form a Reason for Refusal. I therefore do not consider this further within my PoE.

Decision Notice

- 2.4.8. The Decision Notice (CD 3) had two Reasons for Refusal (RfR), the first relating to the principle of development and the second relating to the S106. The first RfR covered three aspects – the first was the location of the Appeal Site outside of the defined settlement boundary/ within the open countryside; the second was the loss of BMV agricultural land; the third was the impact on the designated heritage asset of Tappenhill Farmhouse.
- 2.4.9. Matters in relation to BMV and heritage have since been confirmed by the Council that they would not in themselves amount to a reason to refuse planning permission but are matters which are to weigh in the overall planning balance.
- 2.4.10. This PoE is concerned with the first part of the first RfR, pertaining to the location of the Proposed Development outside of the defined Fernhill Heath 'Development Boundary', as presented in full below:

"The application site lies outside of a defined development boundary and is therefore classed as being open countryside where development is strictly controlled. The proposal does not meet the criteria for the development to be considered as an exception to Policy SWDP2 of the South Worcestershire Development Plan and it does not preserve and enhance the open countryside and character of the area, contrary to Policies SWDP2 and SWDP25 of the South Worcestershire Development Plan".

2.5. Scope of Evidence

Statement of Common Ground

2.5.1. An overarching Planning SoCG (CD 45) has been entered into between the Appellant and MBC. The key matters not in dispute - in respect of landscape and visual matters - are as follows:

- The Site is not subject to any landscape designations.
- The Site is not a valued landscape as per paragraph 180(a) of the NPPF.

2.5.2. At the time of writing, a landscape-specific SoCG (CD 57) is being prepared to further clarify the main areas of agreement / disagreement in respect of landscape and visual matters.

2.6. Scope of Evidence

Landscape and Visual Impact Assessment

2.6.1. As part of my evidence, I have prepared my own Summary Landscape and Visual Impact Assessment (LVIA) in accordance with LDA Design's methodology, with draws upon the established and best practice guidance.). This has been used to verify and quantify the findings of the original and qualitative LVA.

2.6.2. Overall, my assessment finds that there would be some adverse effects on the landscape character / views of the Appeal Site itself and its immediate context as a consequence of change of use from agricultural land to built development. However, the long term, permanent effects on the character and views from within the surrounding landscape would typically be no more than slight adverse or neutral as a consequence of the juxtaposition between the Proposed Development and the existing settlement area; the Proposed Development being of a similar nature and scale as adjoining residential land-uses; the integration and screening

afforded by the proposed landscape strategy; and the screening effects of intervening landform, vegetation and settlement within the wider study area.

- 2.6.3. My Summary LVIA is provided in **Appendix 3** of this PoE and summarised in **Section 5** of this PoE. The methodology for the preparing my Summary LVIA is provided in **Appendix 4** of this PoE.

Valued Landscapes

- 2.6.4. As part of my evidence, I have considered whether the landscape (within the LVIA study area) and should be defined as a 'valued landscape' under paragraph 180a of the National Planning Policy Framework (NPPF) and with reference to Landscape Institute Technical Guidance Note 02/21 'Assessing landscape value outside national designations'.
- 2.6.5. I conclude that the landscape does not represent a 'valued landscape', which has been agreed with MBC, and a brief commentary on 'valued landscapes' is provided in **Section 3** of this PoE.

Visualisations

- 2.6.6. In support of my PoE, I have prepared a range of visualisations to demonstrate the changes to landscape character and views as a result of the Proposed Development. The location of the visualisations has been informed by the original LVA; further field work; and input from the heritage consultant in order to ensure the visuals effectively illustrate the relationship between the Proposed Development and Tappenhill Farmhouse.
- 2.6.7. The visualisations are presented at **Figure 9** of this PoE; the full-scale visualisations are included in **Appendix 2**; I refer to the visualisations when making my judgements on landscape and visual effects, as presented in **Section 5** of this PoE;

and the methodology for preparing the visualisations is provided in **Appendix 5** of this PoE.

2.6.8. It should be noted that the full-scale visualisations presented in **Appendix 2** have been prepared in accordance with the Landscape Institute Technical Guidance Note 06/19 'Visual Representation of Development Proposals', whereas the visualisations at **Figure 9** are not to a prescribed scale / provided for context only.

2.6.9. The visualisations (as presented) include the existing 'baseline' photograph; a visualisation at 'Year 1' with new planting; and a visualisation at 'Year 15' once planting has matured. The layout and massing of the housing is based on the illustrative masterplan layout and assumes typical buildings heights of 2 storey. While the detail of building and landscape design is a matter of detail, it is judged that these give a realistic impression of the how the Proposed Development will be experienced within the landscape / views.

2.7. Structure of Evidence

2.7.1. I have structured my written evidence in the following way:

- **Section 3** provides a description of the Appeal Site and its landscape context to assist the understanding of the main landscape and visual characteristics.
- **Section 4** provides a summary of how landscape and visual considerations have shaped the layout / design of the Proposed Development.
- **Section 5** provides a commentary of the main landscape and visual effects of the Proposed Development with reference to both the original LVA and my more recent Summary LVIA.
- **Section 6** provides commentary on the landscape and visual effects of the Proposed Development with regards to the prevailing policy context.
- **Section 7** provides my conclusions.
- **Section 8** provides an overall summary.

2.7.2. Figures are inserted into the main body of the PoE for ease of reference, and the full suite of figures is provided at **Appendix 1**. The figures comprise:

- **Figure 1:** Appeal Site - Location
- **Figure 2:** Appeal Site - Settlement Context
- **Figure 3:** Landscape Designations
- **Figure 4:** Topography, Hydrology and Woodland
- **Figure 5:** Landscape Character Areas
- **Figure 6:** Access and Recreation
- **Figure 7:** Zone of Theoretical Visibility (ZTV) Study and Viewpoint Locations
- **Figure 8:** Photograph Panels
- **Figure 9:** Visualisations
- **Figure 10:** Illustrative Landscape Masterplan

2.7.3. The following Appendices form part of the PoE and should be read in conjunction with the main report. The appendices comprise:

- **Appendix 1:** Figures (including ZTV study)
- **Appendix 2:** Visualisations
- **Appendix 3:** Summary LVIA
- **Appendix 4:** LVIA Methodology
- **Appendix 5:** ZTV & Photomontage Methodology

3.0 The Appeal Site

3.1.1. The following section provides a summary description of the Appeal Site and its landscape and visual context, with reference to landscape character areas and viewpoints / visual receptor groups. A full description of the baseline environment is presented in the original LVA (CD 28).

3.1.2. For the purposes of the original LVA a study area of 2km was considered sufficient to consider all potential landscape and visual effects. As such a 2km study area is used as the basis for further assessment presented in this PoE.

3.2. Landscape Designations

3.2.1. Neither the Appeal Site nor the study area lie within any known landscape designations.

Landscape designations - and other key environmental designations of relevance to the understanding of wider landscape context - are illustrated on **Figure 3** below.

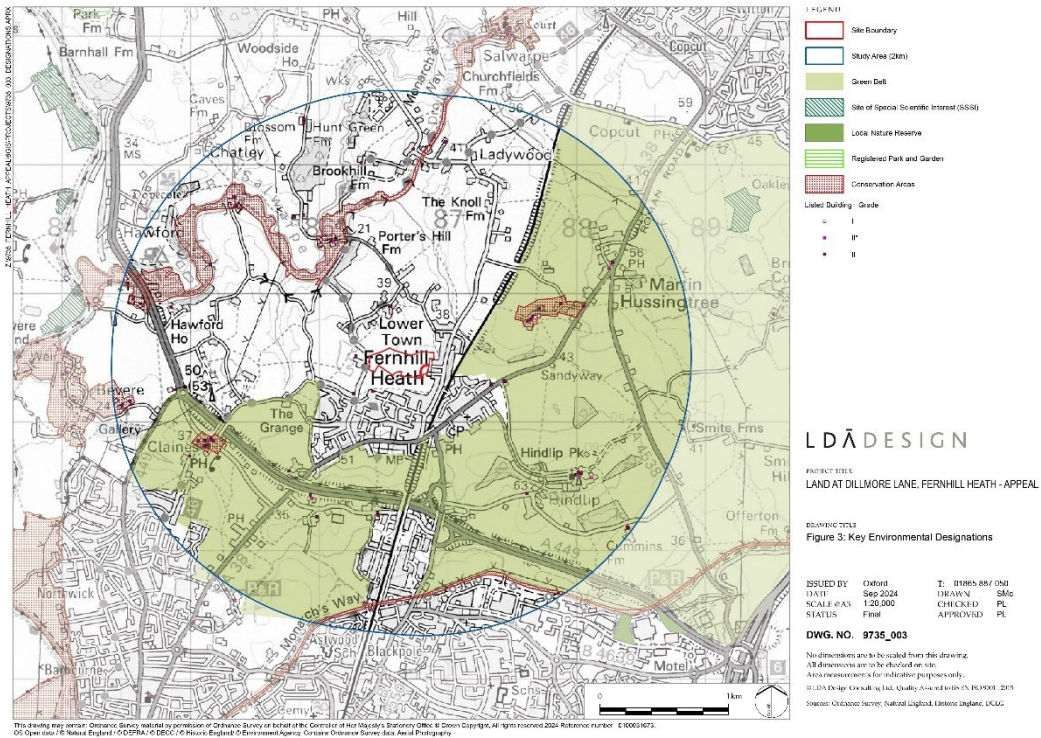


Figure 3: Key Environmental Designations (please see Appendix 1 for main figures)

3.3. Landform and Landscape Fabric

- 3.3.1. The land within the Appeal Site is gently undulating with no particularly pronounced or distinctive topographical features. It lies at a similar elevation to existing settlement at approximately 40 metres above ordnance datum (m AOD)
- 3.3.2. The surrounding land continues to undulate with slightly higher ground to the west of Tappenhill Farm and to the south of Lower Town. This creates a shallow bowl of land surrounded by settlement on slightly higher ground to the east, south and north of the Appeal Site and provides a degree of containment to the Appeal Site.
- 3.3.3. The fields within the Appeal Site comprise a mix of vegetated field boundaries in various conditions, with the field boundary between eastern and central field

parcel being the most substantial and also includes a narrow drainage channel. Much of the Appeal Site boundaries to the south and east adjoin the existing settlement edge, with a mix of fencing and vegetation defining property enclosures.

3.3.4. A small pond / group of trees are located close to the southern Appeal Site boundary. The westernmost part of the Appeal Site, close to Dillmore Lane, contains remnants of ridge and furrow.

3.3.5. The topography of the Appeal Site and surrounding landscape – including hydrology and woodland - is illustrated on **Figure 4** below.

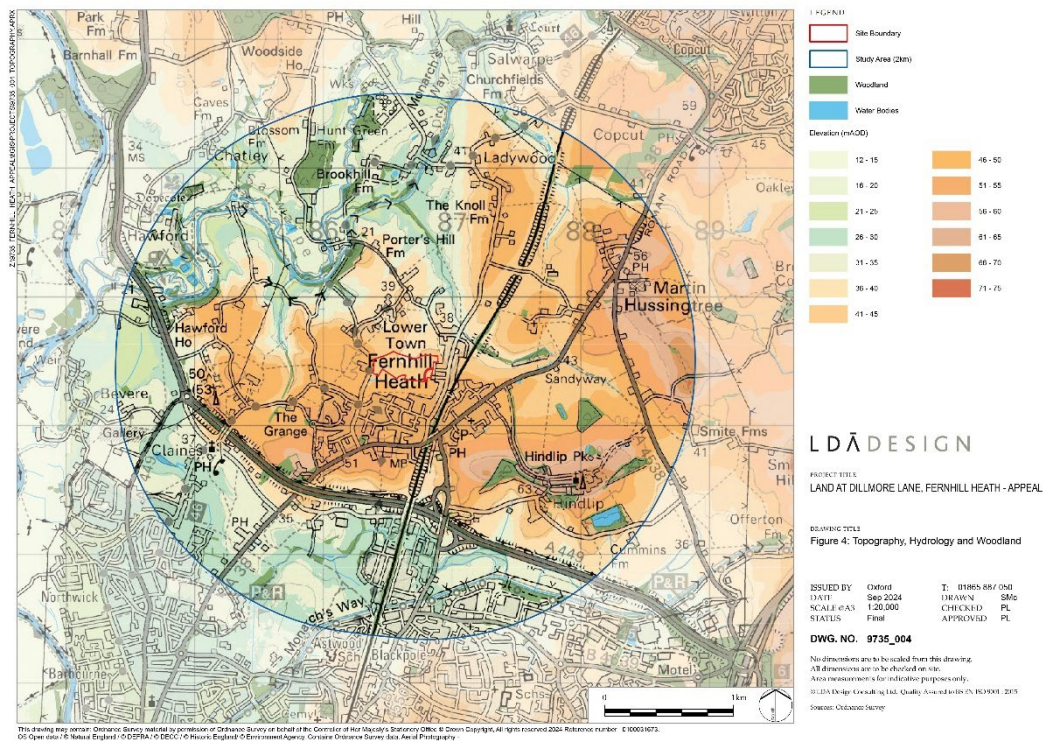


Figure 4: Topography, Hydrology and Woodland (please see Appendix 1 for main figures)

3.4. Landscape Character

- 3.4.1. At the National level, the Appeal Site and entire study area lies within the northern sections of NCA Profile 106: Severn and Avon Vales, defined by Natural England (CD 66). This area is described (inter alia) as a *“low-lying open agricultural vale landscape made up of distinct and contrasting vales.”* The NCA stretches to the southwest towards the River Severn Estuary.
- 3.4.2. At the sub-regional and local level, the Worcestershire Landscape Character Assessment (WLCA) (CD 6), 2012, defines the study area into broader ‘Regional Character Areas’ (RCA) and more detailed ‘Landscape Description Units’ (LDU) which relate to defined Landscape Types (LTs). The LDUs are further divided into the smallest units known as Land Cover Parcels (LCP).
- 3.4.3. The Appeal Site falls within the southern fringes of the ‘Settled Farmlands with Pastoral Land Use’ LT. It is noted that the entire Fernhill Heath settlement area is located within this LT.
- 3.4.4. The extent of the ‘Settled Farmlands with Pastoral Land Use’ and adjoining LTs are illustrated on **Figure 5** below.

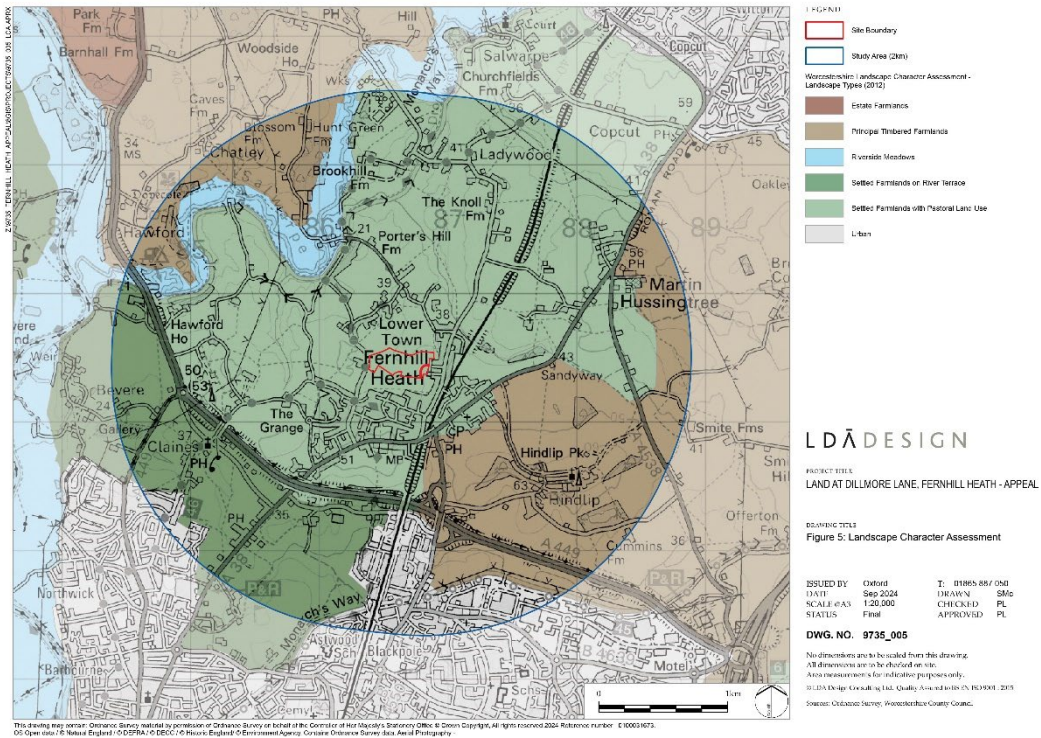


Figure 5: Local Landscape Character (please see Appendix 1 for main figures)

3.4.5. The ‘Settled Farmlands with Pastoral Land Use’ LT is described as:

“A rolling, lowland, settled agricultural landscape with a dominant pastoral land use and small scale, defined by its hedged fields. Hedgerow and streamside trees, together with those associated with settlement, provide tree cover in a landscape with a notable network of winding lanes, scattered farms and clusters of wayside settlements.”

3.4.6. The Landscape Guidelines for the LT of relevance to the Appeal Site include:

- *“Conserve and enhance the pattern of hedgerows.*
- *Maintain overall pastoral land use.*
- *Seek opportunities to conserve all remaining areas of permanent pasture.*
- *Conserve and enhance tree cover along watercourses.*
- *Conserve hedgerow tree populations and promote new hedgerow tree planting.*

- *Retain the integrity of the dispersed pattern of settlement*

3.4.7. The detailed LDU (MW112.1) adds further description for the area:

- *“moderate intensity farming with an intact field pattern declining in places*
- *hedgerow trees locally poorly represented, sparse in places with poor age structure*
- *widespread moderate impact of new dwellings and gentrification*
- *localised impact of urban development and associated land uses”*

3.4.8. Fieldwork confirms that the description of landscape character, as defined in the WLCA, is broadly accurate and of relevance to the Appel Site and study area. However, while the landscape has a predominantly rural character, the Appeal Site and its immediate surroundings are influenced by its proximity to settlement areas to the south, east and north. This also includes the recent residential development directly to the south side of the Appeal Site. These provide built edges to and a settled focus within the Appeal Site context, where the Appeal Site relates strongly to the existing settlement pattern to the south.

3.4.9. The northern settlement edge created by the more recent Suffolk Way Development is somewhat exposed within the local landscape, with fenced property curtilages defining the outer edges of the housing which has increased the impact of the settlement edge at this location. As such, it is considered that this edge does not have the most appropriate interface with the surrounding countryside and is does not integrate development effectively with its surroundings.

3.5. Green Infrastructure

3.5.1. The Worcestershire Green Infrastructure Partnership published a new Worcestershire Green Infrastructure Strategy 2023 - 2028 (CD 7) which sets out

county-scale principles to inform local plans and strategies. Within this strategy there is no specific reference to Fernhill Heath.

3.5.2. Fernhill Heath itself lies within the '13: Mid Worcestershire Corridor' strategic green infrastructure area, and the priorities for this area are summarised below:

- **Strategic GI Approach:** Restore environmental quality / support socio-economic enhancements
- **Overarching principles – Environment:** Protect and restore neutral grassland, orchards and semi-natural ancient woodland, wet woodland and stream corridors
- **Overarching principles – Socio-Economic:** Support enhancements to both health and economic wealth. Address health issues including heart diseases, obesity and respiratory problems. Low household income and unemployment issues are the major economic issue.

3.5.3. The Worcestershire Green Infrastructure Priority Areas Interactive Map (online) defines the status of each of the strategic green infrastructure areas. The '13: Mid Worcestershire Corridor' strategic green infrastructure area is summarised as follows:

- **Classification:** Average
- **Status:** Medium quality environment / medium quality socio-economic status
- **Overall Approach:** Restore environmental quality / support socio-economic enhancements

The overall objective for the '13: Mid Worcestershire Corridor' strategic green infrastructure area is to 'restore and support'.

3.6. Access and Recreation

3.6.1. The Appeal Site is not publicly accessible. PRow run along Appeal Site boundaries and edges of settlement to the west, east and northwest. Other

recreational routes include a National Cycle Network Route 46 and The Monarchs Way Long Distance Footpath, both of which run along Dillmore Lane to the west of the Appeal Site.

3.6.2. A pedestrian / cycle link from Suffolk Way to Firlands Close is also located in the south-eastern corner of the Appeal Site.

3.6.3. The network of PRow are illustrated on **Figure 6** below.

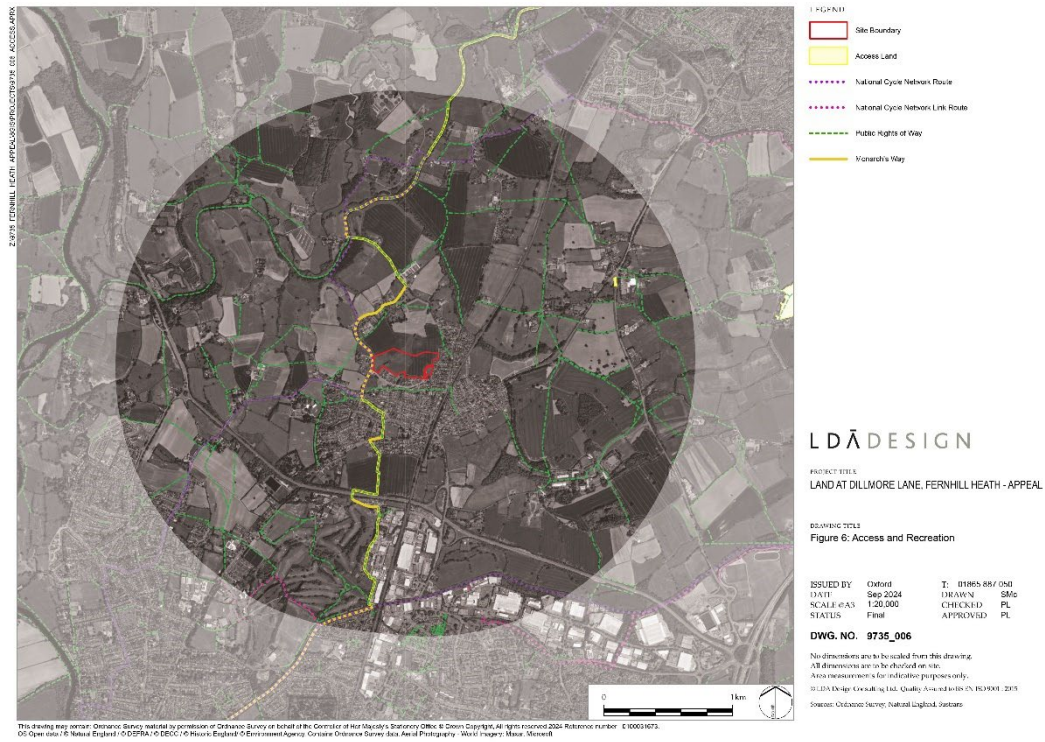


Figure 6: Access and Recreation (please see Appendix 1 for main figures)

3.7. Views and Visual Amenity

Zone of Theoretical Visibility

- 3.7.1. A Zone of Theoretical Visibility (ZTV) Study was prepared as part of the original of the LVA been prepared to indicate where Proposed Development may be visible from within the surrounding landscape and townscape context of the Appeal Site.
- 3.7.2. The analysis was carried out using a topographic model including settlements and woodlands (with heights derived from NEXTMAP 25 surface mapping data) as visual barriers in order to provide a more realistic indication of potential visibility. The building height within the Appeal Site was modelled at 10.5m, representing the maximum building height parameters, which would allow for 2.5 storey dwellings.
- 3.7.3. The ZTV study indicates theoretical visibility extends across the farmland, principally to the north of Fernhill Heath, up to 1km to the north but is more restricted to points close to the Appeal Site boundaries elsewhere to the east, west and south. It also indicates that visibility will be largely contained by the built-up areas of Fernhill Heath immediately to the south and east of the Appeal Site, Lower Town to the north and higher, undulating landform to the west. Beyond these points visibility is likely to be limited.
- 3.7.4. The ZTV study is presented on **Figure 7** below.

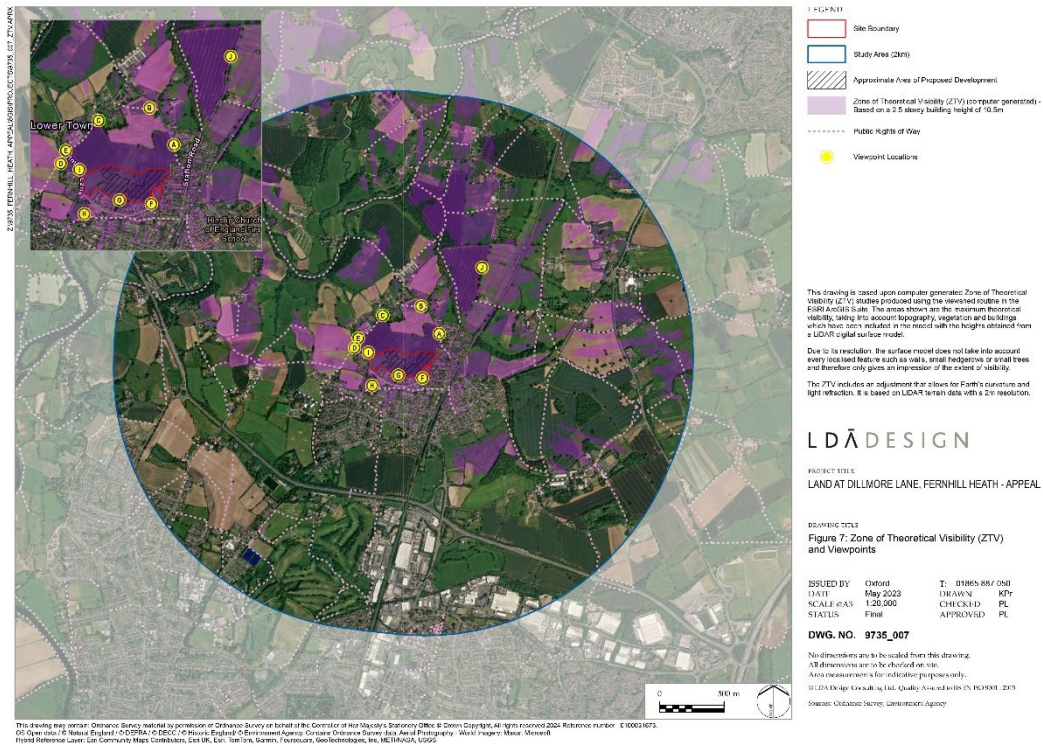


Figure 7: Zone of Theoretical Visibility (ZTV) Study and Viewpoints (please see Appendix 1 for main figures)

3.7.5. It should, however, be borne in mind the ZTV study represents a theoretical model of the potential visibility. In reality, more detailed features such as trees, hedgerows, local landform variations, embankments, and / or buildings found on the ground, but not accounted for within the dataset, are likely to combine to limit visibility to a much greater degree.

3.7.6. Field work was therefore undertaken to test and confirm the actual extent of visibility and, as a result, the following extent of visibility was established:

- The Appeal Site / Proposed Development is primarily visible from the surrounding countryside to the north-east and north-west of the Appeal Site, broadly between the Fernhill Heath settlement edge / Kennels Lane to the north-east; Lower Town Settlement edge to the north; and Dillmore Lane to the north-west.

- The Appeal Site / Proposed Development is also visible from the built-up areas to the east and south of the Appeal Site.
- Views from within around 350m to the north-east and north-west of the Appeal Site are typically across open fields but with the built-up area Fernhill clearly visible and with the settlement edge broadly running east-west across the landscape.
- Views from within the settlement area to east and south are largely screened by intervening vegetation and built-form, albeit there are more open views across the Appeal Site from roads (including Suffolk Way and short sections of Kennels Lane and Dilmore Lane) and publicly accessible spaces towards the outer edge of the current settlement area.
- Views from beyond around 350m to the north, including Lower Town and the countryside beyond, are typically filtered or screened by mature boundary vegetation along the southern edge of Lower Town and the built form of the settlement itself.
- From within the wider landscape, within the 2km study area, views of the Appeal Site are typically filtered or screened by intervening vegetation, landform, and settlement.

Viewpoints

3.7.7. As part of the original LVA, a range of representative viewpoints were used to inform judgements on views and visual amenity.

3.7.8. For the purposes of this PoE, broadly similar viewpoints have been used to inform my Summary LVIA (**Appendix 3**), and new updated photography taken from each viewpoint to verify baseline conditions and inform my judgements.

Corresponding annotated photograph panels presented in **Figure 8: Photographs Panels**

3.7.9. The table below summaries the viewpoints used and also indicates which viewpoints have been visualised for the purpose of this PoE (**Appendix 2**). The distribution and location of viewpoints is presented on **Figure 6**.

Table 1: Viewpoints

LVA VP Reference / Name	PoE Reference / Notes
1: PRow south side of Kennel’s Lane, edge of Fernhill Heath	A – viewpoint moved south to better illustrate intervisibility between PRow, Appeal Site and Tappenhill Farm. Visualisation prepared
2: PRow south side of Kennel’s Lane, south of Barkaway Agility Club	B – as per original LVA
3: PRow, eastern edge of Lower Town, south of Lower Town Farmhouse	C – as per original LVA.
4: PRow west of Dilmore Lane, north of Tappenhill Farm	D - viewpoint moved east, along field margin, due to crops Visualisation prepared
5: PRow east of Dilmore Lane, on eastern edge of Lower Town	E - as per original LVA. Visualisation prepared
6: Suffolk Way, close to Firlands Lane	F - intervisibility between PRow, Appeal Site and Tappenhill Farm

7: Public Open Space within adjacent development at Suffolk Way	G – viewpoint moved south to better represent relationship with existing Suffolk Way Development
8: Suffolk Way, close to Dilmore Lane	H – viewpoint moved south – to with area of open space - to better represent relationship with existing Suffolk Way Development
/	I – new viewpoint along Dilmore Lane to illustrate Appeal Site entrance and relationship to Tappenhill Farm. Visualisation prepared
9: Field Access point on Station Road, heading to Ladywood, south of Strand Lane	J - as per original LVA.
10: Ladywood Road, Ladywood	Not included due to lack of visibility
11: PRow east side of Vicarage Lane to the east of A449	Not included due to lack of visibility

Visual Receptor Groups

3.7.10. LDA Design’s approach to visual assessment - in order to ensure a proportionate assessment - is typically to 'group' visual receptor together based on similar attributes and relationship to the Appeal Site. This could include a combination of views from public spaces and streets within settlements (or around the houses in areas with isolated dwellings), and the routes and accessible landscape in the

surrounding countryside. Further detail is provided in my LVIA methodology presented in **Appendix 4**.

- 3.7.11. As presented in my Summary LVIA (see **Appendix 3**), and in accordance with the LDA Design’s methodology (see **Appendix 4**), I have grouped visual receptors into the following three Visual Receptor Groups (VRGs):

VRG 1 - Fernhill Heath

- 3.7.12. This receptor group consists of visual receptors located within the built-up area of Fernhill Heath, with a distinction made between those visual receptors closest to the Appeal Site (broadly defined by Kennels Lane to the north, Station Road to the east, Suffolk Way to the south, and Dilmore Lane to the west); and visual receptors in the wider settlement area. Key visual receptors include Dilmore Lane, Suffolk Way, Chestnut Close, Firelands Close, Oak Apple Close and Kennels Lane, along with PRoW 549(B) running along the settlement edge. Views are represented by Viewpoints A, F, G and H.

VRG 2 – Countryside to north, north-west and west of Appeal Site

- 3.7.13. This visual receptor group consists of visual receptors located within the countryside to the north, north- east and west of the Appeal Site. Key visual receptors include Dilmore Lane (between Fernhill Heath and Lower Town); PRoW 535(C) (to the west of Dilmore Lane); and PRoW 547(C) and 548(C) (to the south of Lower Town). Views are represented by Viewpoints B, C, D, E and I.

VRG 3 – Wider Countryside and Scattered Settlement

- 3.7.14. This visual receptor group consists of visual receptors located within the wider countryside within the study area. Visual receptors included use of the PRoW network, local roads, and scattered settlement (notably Lower Town). Views are represented by Viewpoint J.

4.0 Design of the Proposed Development

4.1.1. The iterative design process that has been undertaken has ensured that measures to mitigate any adverse landscape and visual effects are incorporated into the design of the Proposed Development, along with other measures that could be deployed to deliver enhancement.

4.2. Design Principles

4.2.1. The following design principles are embedded in the scheme design:

- **Ensuring the development provides a comprehensive Green Infrastructure (GI) strategy.** The Proposed Development will deliver GI provision in line with the policy requirements set out within the SWPD 5 (which requires 40% of the total site area as GI), with new green spaces, landscape features and ecological habitat throughout the Appeal Site.
- **Ensuring the development provides improvements to access and connectivity.** The GI Strategy will create a network of new pedestrian routes, including direct links to the existing open spaces to the south and PRoW within the countryside to the north and west. This will improve connectivity between the settlement and wider landscape.
- **Ensuring the development responds to prevailing settlement and landscape pattern.** The extent of the Appeal Site relates well to the existing settlement areas to the east and south, whilst setback from more rural landscape to the west and north and maintaining clear separation with Lower Town. The GI provision will help integrate the development into the landscape and will include new tree planting (within areas of open space and along streets / areas of public realm) to help break up the form of new buildings and reinforce local distinctiveness.
- **Ensuring the development provides an appropriate new settlement edge to the north to integrate effectively with the surrounding countryside.** Dwellings along the northern edge will typically front on the surrounding countryside in order to provide a more attractive edge. New hedgerows with

trees will be planted along the northern Appeal Site boundary to soften the edges / provide some screening, whilst reflecting the characteristic field boundary enclosure within the local landscape.

- **Ensuring the development provides an appropriate new interface to the south to integrate the effectively with the existing built-up area.** New houses will ‘front on’ to the existing Suffolk Way development in order to create an active frontage. This will include new green space to ‘round off’ the area around the existing basins to make this a more logical, central space. New green space is also included to the southeast corner, on a vacant area of land between existing housing with play space and benefiting from proximity to existing footpath / cycle path.
- **Ensuring the development responds to the character of Dilmore Lane.** As part of the GI strategy for the scheme, the western section of the Appeal Site is proposed as green space in order to retain the rural approach from Dilmore Lane and provide a degree of separation from Tappenhill Farm. It will also allow for the retention and enhancement of the on-site pond. This green space will comprise some community orchards as a characteristic landscape feature and ridge and furrow features will be retained.
- **Ensuring the development protects the character of the existing watercourse.** The drainage channel through the centre of the Appeal Site – along with existing planting - will be retained and enhanced a key landscape feature. Green spaces will be created along the route to vary width / add character, along with new basins at the lowest parts of the Appeal Site. The corridor will be overlooked by houses to provide active frontage / surveillance; and only one road crossing is proposed across the channel.
- **Ensuring the development building heights respond to local context.** In order to minimise landscape and visual impact, and ensure the Proposed Development is not a prominent feature on the skyline, housing will be typically 2 storey.

4.2.2. The illustrative landscape masterplan is shown on **Figure 10** below.



Figure 10: Illustrative Landscape Masterplan (please see Appendix 1 for main figures)

4.3. Design Evolution

4.3.1. Based on the findings of the landscape and visual appraisal work, the following changes have been made to the scheme design throughout the iterative design process.

- The extent of the building footprint has been reduced from points to the west and north to provide a better fit with local settlement / landscape context.
- The orientation of buildings has been adjusted to align more closely – and better integrate - with adjoining settlement / open spaces.
- The GI strategy has been revised to incorporate more space for landscape and swales within the built-up area.
- The GI strategy has been revised to allow for the de-culverting of part of the drainage channel within the Appeal Site, which would restore an existing landscape feature and of benefit to character and amenity.

4.4. Benefits and Legacy

4.4.1. Based on the above design principles, while the Proposed Development will result in the loss of some pastoral land-use, it is judged that the scheme positively responds to the relevant landscape and green infrastructure guidelines as set out within the WLCA (CD 6) and Worcestershire Green Infrastructure Strategy (CD 7)

In relation to landscape character guidance:

- The Proposed Development will conserve and enhance the pattern of hedgerows.
- The Proposed Development will conserve hedgerow tree populations and promote new hedgerow and tree planting.
- The Proposed Development will conserve and enhance tree cover along the watercourse.
- The Proposed Development will retain the integrity of the dispersed pattern of settlement.

In relation to green infrastructure guidance:

- The Proposed Development will protect and enhance the watercourse.
- The Proposed Development will create new orchard planting.
- The Proposed Development will encourage active and healthy lifestyles through the creation of new open space and routes.

4.4.2. As well as delivering 40% green infrastructure, the Proposed Development will deliver in excess of SWDP open space standards. Based on the requirements of Policy SWDP 39, the Proposed Development would be required to deliver 0.46ha of open space, with over 2ha of open space proposed.

4.4.3. In addition, the ecological assessment submitted with the Planning Application also demonstrates that the Proposed Development would deliver has the potential to deliver Biodiversity Net Gain. Based on the illustrative masterplan, it is

estimated there would be a gain 24.71% in habitat units; 141.34% gain in hedgerow units; and 18.78% gain in watercourse units.

4.4.4. Overall, it is judged that the Proposed Development - incorporating the design measures as outlined above - would positively contribute to the structure of the landscape and network of green infrastructure. The newly created open spaces and routes will also further enhance and increase opportunities for recreation.

4.5. Development at Suffolk Way

4.5.1. A development of 120 houses is located immediately to the south of the Appeal Site and was approved by WDC in 2014 (planning reference W/14/00367/OU). This scheme was promoted / constructed by Taylor Wimpey and – for the purposes of my PoE – is referred to as the ‘Suffolk Way Development’ after the main internal street.

4.5.2. The Suffolk Way Development / site shares many similar to characteristics to that of the Proposed Development / Appeal Site, namely:

- Occupying an area of arable farmland to the north of Fernhill Heath / falling within the ‘Settled Farmlands with Pastoral Land Use’ LT.
- Adjoining the existing built-up area to the east, south and west.
- Accessed from Dilmore Lane to the east.
- Provision of pedestrian and cycle access via Firlands Close to the west.
- Development principally arranged east-west, along a single primary street.
- Protection and enhancement of existing landscape features.
- Creation of around 40% green infrastructure.

4.5.3. The Suffolk Way Development was approved at Committee in 2014. The Committee Report (CD 55) makes the following comments (of most relevance to the landscape and visual context):

- Fernhill Heath is recognised as a sustainable location in the district and the principle for new residential development in this location is acceptable.
- The site is not covered by any statutory or non-statutory landscape designations.
- The existing built form to the edge of the village significantly impacts on the localised landscape character.
- The site is considered visible in local and middle-distant views, however, the site is fairly well contained in the wider landscape due to a combination of local topography, existing built form and vegetation.
- The existing edge to the village is also visible in these views, partly on the skyline, and the proposed development would be viewed below the skyline and against this backdrop.
- Existing landscape features within the site, including hedgerows, trees and watercourses, are capable of being retained within the scheme.
- Proposed new planting will, as it matures, help to reduce any adverse effects of the development and filter views.

4.5.4. Overall the Case Officer concluded that there were no strong landscape objections to development; the proposal will preserve and enhance the surrounding built environment; and the scheme includes environmental benefits including large areas of managed green infrastructure.

4.5.5. These judgements are very similar to the ones reached by the Case Officer in respect of the Proposed Development.

5.0 Landscape and Visual Effects

5.1.1. The assessment of potential effects addresses each of the themes presented in the landscape and visual baseline presented in **Section 3.0**.

5.2. Effects on Landscape Designations

5.2.1. Neither the Appeal Site or the study area lie within any known landscape designations and as such there would be no effects on any designated landscapes.

5.3. Effects on Landform and Landscape Fabric

5.3.1. The Proposed Development will retain and enhance the majority of existing trees and hedgerows within the Appeal Site, along with the existing watercourse running through the Appeal Site.

5.3.2. 40% of the Appeal Site area will be provided as GI, and large areas of open space are proposed within the western and central / northern sections of the Appeal Site, which provides opportunities to establish new landscape features / habitats and improved semi natural greenspaces.

5.3.3. There is likely to be some minor modifications to the existing landform to accommodate access / building platforms but retained boundary vegetation will be protected. The layout of development is designed to be set back from these features and work with existing contours as far as possible.

5.3.4. Overall, the Proposed Development is considered to result in the loss of agricultural fields / change to landscape character – as considered in **Section 5.4** below – but will be beneficial in terms of enhancing existing landscape features and establishing new trees and hedgerows within the landscape.

5.4. Effects on Landscape Character

Landscape Value, Susceptibility and Sensitivity

- 5.4.1. The Landscape Institute's Technical Guidance Note 'TGN 02-21 Assessing Landscape Value Outside National Designations' (2021) sets out a range of factors that can be considered when identifying 'landscape value'. The factors are not presented in order of importance and are not intended to be exhaustive. TGN 02-21 notes that:

"It would be expected that a 'valued landscape' would demonstrate the presence of a number of indicators of landscape value, as set out in Table 1 [of TGN 02/21], although it is possible for one indicator to be of such importance (e.g. rarity, association or perceptual aspects) that the landscape is judged to be a 'valued landscape' even if other indicators are not present. The identification of landscape value needs to be applied proportionately ensuring that identification of 'valued landscape' is not over used."

- 5.4.2. I find no indicators that would suggest the landscape is of any greater value than 'typical' countryside and that the landscape (with the study area) does not represent a 'valued landscape' under paragraph 180a of the National Planning Policy Framework. This is agreed between Appellant and MBC.
- 5.4.3. In relation to the 'value' attributed to specific landscape character areas, in accordance with my LVIA methodology (**Appendix 4**) I judge the 'Settled Farmlands with Pastoral Land Use LT' to be no more of 'community value' – i.e. an 'everyday' landscape which is appreciated by the local community and may have some distinctive features but has little or no wider recognition of its value.
- 5.4.4. Landscape value, along with susceptibility, are components of overall landscape sensitivity. In accordance with my LVIA methodology (**Appendix 4**) I judge the

‘Settled Farmlands with Pastoral Land Use LT’ to be of ‘medium’ susceptibility – in that undue consequences may arise from the Proposed Development. Community value and medium susceptibility combine to give a ‘medium-low’ sensitivity overall.

Landscape Effects

- 5.4.5. Inevitably, there would be a physical change of land-use within the Appeal Site itself from agricultural land to built development and green spaces, resulting in a fundamental change to the landscape character of the **Appeal Site and its immediate context** (up to circa 100m from Appeal Site boundary, all directions). Over time, the landscape strategy would help assimilate the Proposed Development into the landscape and create new and characteristic landscape features, however, there would remain a change to land-use and associated character. The permanent effects would be large scale; medium magnitude; and Moderate Adverse.
- 5.4.6. Within the countryside to **north-east, north and north-west of the Appeal Site** (between circa 100m and 350m from Appeal Site boundary to the north, broadly between the Fernhill Heath settlement edge / Kennels Lane to the north-east; Lower Town Settlement edge to the north; and Dilmore Lane to the north-west), the extension to the existing settlement area would influence the characteristic of the surrounding landscape to a degree. However, there would be no discernible loss of any existing landscape features namely the pattern of water courses, trees and hedgerows; the Proposed Development would be similar in character / perceived against the backdrop of existing settlement edge of Fernhill Heath; and there would remain a swathe of open countryside between Fernhill Heath and Lower Town. The short-medium term effects would be medium scale; medium-low magnitude; and Slight Adverse.

- 5.4.7. Over time, the landscape strategy would help assimilate the Proposed Development into the landscape and would provide a degree of screening. In addition, the proposed planting would provide a 'softer' urban edge in comparison to the existing edge conditions along the Suffolk Way Development. Despite a change to the settlement extent, the overall landscape context would remain of a settlement edge, set within a framework of trees and hedgerows, and adjoining open countryside. The permanent effects would be small scale; low magnitude; and Slight Adverse.
- 5.4.8. These effects are illustrated by the visualisations from Viewpoint A, E and I (see **Figure 6** and **Appendix 2**)
- 5.4.9. The Proposed Development would also be visible within a relatively small open countryside to the **north-west of Fernhill Heath / west of Dilmore Lane** (between circa 100m and 250m from Appeal Site boundary to the east, broadly between Dilmore Lane and PRoW 535(C)). The Proposed Development would be largely screened by intervening topography and vegetation; perceived against the backdrop of existing urban edge of Fernhill Heath; and would cause little change to the perceived extent of the settlement area. As a result, there would be no discernible change to the existing landscape character and context. The permanent effects would be small-negligible scale; low-negligible magnitude; and Slight-Minimal Neutral.
- 5.4.10. These effects are illustrated by the visualisations from Viewpoint D (see **Figure 6** and **Appendix 2**)
- 5.4.11. Beyond the areas described above, within the **wider countryside** (within the reminder of the study area), the Proposed Development would either be largely screened by intervening topography, vegetation and built form or - where visible - perceived as part of the existing settlement area and not perceived as extending

Fernhill Heath beyond its existing extents. Overall, there would be no discernible change to existing landscape character and context, with the key characteristics of landscape – including areas of settlement, small scale field pattern, well-defined hedgerow and tree cover – prevailing. The permanent effects on the character of the wider countryside would be negligible scale; negligible magnitude and Minimal Neutral.

5.5. Effects on Green Infrastructure

5.5.1. The design of the Proposed Development incorporates a comprehensive green landscape strategy, with 40% of the Appeal Site provided as green infrastructure. This will include new tree and hedgerow planting that will help integrate the scheme into the landscape and provide a degree of screening.

5.5.2. Furthermore, open space is provided in excess of SWDP policy standards and the Proposed Development would deliver significant Biodiversity Net Gain.

5.5.1.1. As set out in **Section 4.0**, the design of the Proposed Development seeks to respond to the WGIS guidance by conserving the stream corridor; creating new orchards; and encouraging active and healthy lifestyles through the creation of new open space and routes.

5.5.2. Overall the Proposed Development is considered to be beneficial in terms of green infrastructure.

5.6. Effects on Access and Recreation

5.6.1. The proposed areas of green infrastructure, as part of the Proposed Development, will include a range of spaces for recreation and play that can be used freely by the public. New open spaces and paths will better link the existing open spaces along Suffolk Way and the PROW network to the Appeal Site's north and west.

5.6.2. Overall, the Proposed Development is considered to be beneficial in terms of access and recreation.

5.7. Views and Visual Amenity

Visual Value, Susceptibility and Sensitivity

5.7.1. As presented in my own Summary LVIA (Appendix 3) and in accordance with the LDA Design methodology (Appendix 4) I typically judge the sensitivity of the identified VRGs to be high-medium, based on a combination of high susceptibility and community value - given that there is no evidence to suggest that these VRGs contain any features or characteristics that would elevate the value of the view above that of 'ordinary' countryside. Such visual receptors typically include people in the streets around their home, or using public rights of way, navigable waterways or accessible open space (public parks, open access land).

VRG1 – Fernhill Heath

5.7.2. From publicly accessible areas and routes on the **northern edge of Fernhill Heath** (up to circa 100m from Appeal Site boundary to the east and south of the Site, within / adjacent to the Development Boundary – primarily around Dilmore Lane, Suffolk Way, Chestnut Close, Firelands Close and Oak Apple Close) there would be a physical change of land-use within the Appeal Site from agriculture to built development and green spaces, which would interrupt views of the countryside and change the nature of the view. However, it is noted that existing views of the countryside are already typically seen in the context of and/or through areas of built development. The existing views are illustrated by the photograph panels from Viewpoints F and G (see **Figure 8**)

- 5.7.3. The design of the Proposed Development would allow for views through the Appeal Site and towards the countryside beyond, with green spaces and areas of public realm running north-south and connecting to existing open spaces along the settlement edge. Furthermore, over time, the landscape strategy would help assimilate the Proposed Development into the landscape and create new and characteristic landscape features. However, there would remain a change to land use and associated views. The permanent effects would be medium scale; medium magnitude; and Moderate Adverse.
- 5.7.4. Further north-east, from along **PRoW 549(B) and Kennels Lane**, there would be a visible extension of the settlement area into the countryside to the north of Fernhill Heath. The existing view is illustrated by the photograph panel from Viewpoint A (see **Figure 8**)
- 5.7.5. The Proposed Development would be seen beyond agricultural fields in the foreground; would be similar in character / perceived against the backdrop of existing settlement edge of Fernhill Heath; and there would remain open, uninterpreted views west, towards Tappenhill Farm and north-west, towards Lower Town. The short-medium term effects would be medium-small scale; medium-low magnitude; and Moderate-slight Adverse.
- 5.7.6. Over time, the landscape strategy would help assimilate the Proposed Development into the landscape and would provide a degree of screening. The proposed planting would provide a 'softer' urban edge in comparison to the existing edge conditions along the Suffolk Way Development. The overall visual context would remain of the settlement edge and adjoining countryside. The permanent effects would be small scale; low magnitude; and Slight Adverse.
- 5.7.7. These effects are illustrated by the visualisations from Viewpoint A (see **Figure 6** and **Appendix 2**)

- 5.7.8. The Proposed Development would not be readily visible from the majority of the **wider area of Fernhill Heath** (within remainder of study area), being largely screened by intervening vegetation and/or built form. An existing view – in relatively close proximity to the Appeal Site, to the south of Suffolk Way - is illustrated by the photograph panel from Viewpoint H (see **Figure 8**)
- 5.7.9. If visible from within other areas of the settlement, the Proposed Development would be seen in the context of other residential land-uses and there would be no discernible change to existing views or context. The permanent effects on the wider settlement area would be negligible scale, negligible magnitude and Minimal Neutral.
- 5.7.10. These effects are illustrated by the visualisations from Viewpoint H (see **Figure 6** and **Appendix 2**)

VRG2 – Countryside to north, north-west and west of Appeal Site

- 5.7.11. From **Monarchs Way / Dillmore Lane** (along western edge of Appeal Site and extending to north to edge of Lower Town, outside of Development Boundary) there would be a visible extension of the settlement area into the countryside to the north of Fernhill Heath, including a new junction along Dillmore Lane. The existing view is illustrated by the photograph panel from Viewpoint I (see **Figure 8**)
- 5.7.12. The Proposed Development would be similar in character and perceived against the backdrop of existing settlement edge of Fernhill Heath. The new built form would also be set back from Dillmore Lane, with an area of green space proposed along the western edge of the Proposed Development, ensuring there remains a relatively open and rural approach to Fernhill Heath. There would also remain open, uninterpreted views east towards the ‘Station Lane’ area / settlement edge of

Fernhill Heath; and north-east, toward Lower Town. The short-medium term effects would be medium-small scale; medium-low magnitude; and Moderate-slight Adverse.

- 5.7.13. Over time, the landscape strategy would help assimilate the Proposed Development into the landscape and would provide a degree of screening. This could include new orchard planting within the green space proposed along the western edge of the Proposed Development, further emphasising the setback from Dillmore Lane and enhancing the approach to Fernhill Heath. The proposed planting would provide a 'softer' urban edge in comparison to the existing edge conditions along the Suffolk Way Development. The overall visual context would remain of the settlement edge adjoining countryside. The permanent effects would be small scale; low magnitude; and Slight Adverse.
- 5.7.14. These effects are illustrated by the visualisations from Viewpoint I (see **Figure 6** and **Appendix 2**)
- 5.7.15. From **PRoW 535(C)** (to the west of Dillmore Lane / Tappenhill Farm) the Proposed Development would be visible within the open countryside to the north-west of Fernhill Heath. The existing view is illustrated by the photograph panel from Viewpoint D (see **Figure 8**)
- 5.7.16. The Proposed Development would be largely screened by intervening vegetation; similar in character / perceived against the backdrop of existing urban edge of Fernhill Heath; and would result in very little change to the existing views or visual context. The permanent effects would be small negligible scale; low-negligible magnitude; and Slight-Minimal Neutral.
- 5.7.17. These effects are illustrated by the visualisations from Viewpoint D (see **Figure 6** and **Appendix 2**)

- 5.7.18. From **PRoW 547(C) and 548(C)** (along southern edge of Lower Town) there would be a visible extension of the settlement area into the countryside to the north of Fernhill Heath. The existing views are illustrated by the photograph panels from Viewpoints B, C and E (see **Figure 8**)
- 5.7.19. The Proposed Development would be seen at a distance, beyond and in the context of intervening agricultural fields; would be similar in character and perceived against the backdrop of existing settlement edge of Fernhill Heath; and would not extend above the distant vegetated horizon line. The short-medium term effects would be medium-small scale; medium-low magnitude; and Moderate-slight Adverse.
- 5.7.20. Over time, the landscape strategy would help assimilate the Proposed Development into the landscape and would provide a degree of screening. The permanent effects are judged to be small scale, low magnitude; and Slight Adverse.
- 5.7.21. These effects are illustrated by the visualisations from Viewpoint E (see **Figure 6** and **Appendix 2**)

VRG3 – Wider Countryside and Scattered Settlement

- 5.7.22. Beyond the areas described above, the Proposed Development would be largely screened by intervening topography, vegetation and built form; and seen within the context of the wider settlement area of Fernhill Heath. The existing view is illustrated by the photograph panel from Viewpoint J (see **Figure 8**)
- 5.7.23. Where visible from within the **wider countryside**, the Proposed Development would be perceived as part of the existing settlement area and there would be no discernible change to existing views or visual context. With particular regard to Lower Town, the Proposed Development would not be readily visible from the

majority of the settlement area due to presence of intervening buildings and mature vegetation around the settlement edge. The permanent effects on the visual receptors within the wider landscape would be negligible scale, negligible magnitude and Minimal Neutral.

6.0 Planning Policy Context

6.1. National Planning Policy Framework

Areas or Assets of Importance

6.1.1. Paragraph 11 sets out that in determining applications for development this means that developments which accord with an up-to-date development plan should be approved. Where the development plan is not fit for the purpose of determining the application, paragraph 11 directs that the permission should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”* or *“the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”*. The areas or assets of particular importance in respect of landscape and visual matters referred to within the relevant footnote 7 are:

- Area of Outstanding Natural Beauty (now National Landscapes)
- National Parks including the Norfolk Broads.
- Heritage Coast.

6.1.2. The list also includes important and/or irreplaceable habitats, designated heritage assets, areas at risk of flooding or coastal change, and areas designated as Green Belt, and Local Green Space.

6.1.3. None of these areas / assets would be directly affected by the Proposed Development. It is acknowledged that the Proposed Development is located within the setting of Tappenhill Farmhouse, however, there is agreement between WDC and the Appellant that any harm would be less than substantial and at the low end

of the spectrum. No other built heritage assets would be adversely affected by the proposed development.

Healthy and Inclusive Places

6.1.4. Paragraph 96 of the NPPF indicates that decisions should aim to achieve healthy, inclusive and safe places which:

“a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling”.

6.1.5. The Proposed Development creates a legible environment, with high quality public space and good pedestrian connections, encouraging social interaction and active lifestyles.

Well-designed Places

6.1.6. Paragraph 135 of the NPPF indicates that decisions should achieve well-designed places and ensure that developments:

“a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the Appeal Site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) ...”

6.1.7. While it is acknowledged that there will be an impact on land outside of the settlement boundary, the Proposed Development would relate well to the existing settlement context; and there will be no discernible change to any of the key characteristics of the wider landscape.

6.1.8. As demonstrated by the DAS, new houses will reflect the layout, scale and vernacular of existing residential land uses in this locality, while the landscape strategy ensures characteristic landscape features are retained and enhanced. Overall, the proposal represents ‘good’ design that is fully informed by local context.

Valued Landscapes

6.1.9. Section 15 of the NPPF covers both ecological and landscape matters. Paragraph 180 requires that decisions should contribute to conserving and enhancing the natural environment by:

“a) protecting and enhancing valued landscapes, ... (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; ...”

6.1.10. In respect of valued landscapes, paragraph 171 notes that planning policy should *“.....distinguish between the hierarchy of international, national and locally designated sites”*.

6.1.11. As set out in Section 2 it is agreed that the Appeal Site is not a ‘valued landscape’ in accordance with paragraph 180a of the NPPF.

6.1.12. The design of the Proposed Development has been fully informed by an understanding of the ‘intrinsic character’ of the landscape, as has been designed to ensure the scheme is well integrated into its setting and retains / enhances key landscape features.

6.1.13. Overall it is concluded that the proposed development does not conflict with the objectives of the NPPF in respect of landscape and visual matters, and the Appeal Site is not considered to be a ‘valued’ landscape.

6.2. South Worcestershire Development Plan

SWDP 2: Development Strategy and Settlement Hierarchy / Part C

6.2.1. SWDP 2: Development Strategy and Settlement Hierarchy / Part C states that *“The open countryside is defined as land beyond any development boundary. In the open countryside, development will be strictly controlled and will be limited to dwellings for rural workers (see policy SWDP 19), employment development in rural areas (see SWDP 12), rural exception sites (see SWDP16), buildings for agriculture and forestry, replacement dwellings (see SWDP 18), house extensions, replacement buildings and renewable energy projects (see policy SWDP 27) and development specifically permitted by other SWDP policies.”*

6.2.2. It is concluded that there will be an impact on land outside of the settlement boundary that is defined as ‘open countryside’ (in relation to Policy SWDP 2C), however, the impact will be relatively limited in extent; the Proposed Development would relate well to the existing settlement context; there will be no discernible change to any of the key characteristics of the Settled Farmlands with Pastoral Land Use; and there will be some long term benefits arising in terms of landscape fabric and green infrastructure.

SWDP 5: Green Infrastructure / Part A

6.2.3. SWDP 5: Green Infrastructure / Part A states that housing development proposals on greenfield sites exceeding 1ha are required to contribute 40% GI (of the total site area). Part B states that the form / function of GI will depend on local circumstances and the Worcestershire Green Infrastructure Strategy’s priorities. Part C states that *“Development proposals that would have a detrimental impact on important GI attributes within the areas identified as “protect and enhance” or “protect*

and restore”, as identified on the Environmental Character Areas Map , will not be permitted unless:

- (i) A robust, independent assessment of community and technical need shows the specific GI typology to be surplus to requirements in that location; and*
- (ii) Replacement of, or investment in, GI of at least equal community any technical benefit is secured.*

6.2.4. The Proposed Development contributes to over 40% GI provision (Part A); responds to the objectives for the Mid Worcestershire Corridor strategic green infrastructure area as set out in the WGIS (Part B); and does not fall within an area that is identified as ‘protect and enhance’ or ‘protect and restore’ (Part C).

SWDP 25: Landscape Character

6.2.5. Part A of SWDP 25: Landscape Character states that *“Development proposals and their associated landscaping schemes must demonstrate the following: i. That they take into account the latest Landscape Character Assessment and its guidelines; and ii. That they are appropriate to, and integrate with, the character of the landscape setting; and iii. That they conserve, and where appropriate, enhance the primary characteristics defined in character assessments and important features of the Land Cover Parcel, and have taken any available opportunity to enhance the landscape”.*

6.2.6. Part B states that *“A Landscape and Visual Impact Assessment (LVIA) will be required for all major development proposals and for other proposals where they are likely to have a detrimental impact upon i. A significant landscape attribute; ii An irreplaceable landscape feature; or iii The landscape as a resource. The Landscape and Visual Impact Assessment should include proposals to protect and conserve key landscape features and attributes and, where appropriate, enhance landscape quality”.*

6.2.7. It is concluded that the design of Proposed Development has taken into account the latest Landscape Character Assessment and its guidelines; will integrate well with its landscape setting; and will retain / enhance the key characteristics and features of the landscape (Part A). A Landscape and Visual Appraisal has been submitted with the planning application describes the likely effects and proposed measures to protect and enhance landscape features / qualities.

Policy SWDP 21: Design

6.2.8. Policy SWDP 21: Design which requires new developments to be of a high-quality design and should complement local settlement / landscape character.

6.2.9. As demonstrated by the DAS, new houses will reflect the layout, scale and vernacular of existing residential land uses in this locality, while the GI Strategy ensures characteristic landscape features are retained and enhanced. Overall, the proposal represents 'good' design that is fully informed by local context.

Policy SWDP 39: Provision for Green Space and Outdoor Community Uses in New Development

6.2.10. Policy SWDP 39: Provision for Green Space and Outdoor Community Uses in New Development requires development proposals exceeding 5 dwellings should make provision for green space in line with prevailing standards.

6.2.11. 40% of the Appeal Site is proposed as GI and will comprise a range of open space typologies and, overall open space standards will be exceeded.

6.2.12. Overall it is concluded that the proposed development does conflict with Policy SWDP 2: Development Strategy and Settlement Hierarchy / Part C, comprising a land beyond any development boundary / within the open countryside, however,

meets objectives of the SWDP in respect of landscape character, green infrastructure / open space, and good design.

6.3. North Claines Neighbourhood Plan

6.3.1. The NP identifies a number of local policies the relate to landscape matters.

Policy NCH1A: New Residential Development

6.3.2. Policy NCH1A: New Residential Development states that *“Proposals for further new residential development beyond the existing development boundaries of Worcester and Fernhill Heath will be resisted unless it is demonstrated that there is not a five year supply of deliverable housing sites and that no other policies within the NCNP and SWDP would preclude development on the site such as Green Belt, Local Green Space or locations at risk of flooding”*.

6.3.3. While is it beyond the scope of this PoE to consider housing land supply (HLS), it is common ground that WDC do not have the minimum required HLS. Furthermore none of the designations stated in Policy NCH1A apply to the Appeal Site.

Policy NCHE1A: Connections with the Countryside – Landscape

6.3.4. NCLE1A: Connections with the Countryside - Landscape requires an *“Appropriate landscape provision on the boundary of proposals within the countryside or at the edge of settlements should provide a strong and defensible buffer to enhance the interface of the development on the visual appearance of the area”*

6.3.5. The design of the Proposed Development includes appropriate boundary treatments and seeks to create an appropriate interface between the development and surrounding countryside.

Policy NCHE1B: Connections with the Countryside – Footpaths

6.3.6. NCLE1B: Connections with the Countryside – Footpaths states that *“Proposals that provide well designed footpaths and bridleways which are accessible to all within the NPA will be supported provided it meets all of the following criteria:*

1. *It provides a safe and efficient route for all users;*
2. *It is appropriate in terms of the existing landscape and provides adequate mitigation for the loss of any existing planting as part of the works; and*
3. *It does not have an unacceptable adverse impact on the amenity of adjacent residents.*

New development within the countryside or on the edge of settlements should make provision for footpaths and bridleways that connect to the existing network and protect existing footpaths and bridleways within the site boundaries”

6.3.7. The design of the Proposed Development includes a network of new open space and routes that connect with existing open spaces and PRow.

Policy NCHE6: Trees and Woodland and Development

NCLE6: Trees and Woodland and Development states that (inter alia)

“Developments which involve the loss of woodlands, trees of local significance or significant lengths of mature and biodiversity rich hedgerows will not generally be allowed unless adequate compensatory measures are put in place which will result in a net gain to the overall quality of the environment”.

6.3.8. The Proposed Development will not result in any woodlands, trees or any significant lengths of hedgerow. The Proposed Development allows for 40% of the Appeal Site to be created as green infrastructure and the scheme will deliver Biodiversity Net Gain.

6.3.9. Overall it is concluded that the proposed development does not conflict with the objectives of the Neighbourhood Plan in respect of landscape and visual matters.

7.0 Conclusions

7.1.1. This PoE is concerned with the landscape implications of first RfR, the relevant part of which is presented below:

The Appeal Site lies outside of a defined development boundary and is therefore classed as being open countryside where development is strictly controlled. The proposal does not meet the criteria for the development to be considered as an exception to Policy SWDP2 of the South Worcestershire Development Plan and it does not preserve and enhance the open countryside and character of the area, contrary to Policies SWDP2 and SWDP25 of the South Worcestershire Development Plan.

7.1.2. The preceding section of this PoE demonstrates that there will be some adverse landscape and visual effects resulting from the Proposed Development. It is considered that adverse effects on landscape character and views are largely an inevitable consequence of green field development, and the Case Officer concurs that there will be a degree of landscape harm by virtue of this being a green field site.

7.1.3. It is judged that the landscape and visual effect will be relatively limited in extent and will not be widespread. The Proposed Development will relate well to the existing settlement area; will be well integrated with its landscape setting; and will retain / enhance the key characteristics and features of the landscape. There will also be benefits arising from the proposed landscape strategy.

7.1.4. The Case Officer and Landscape Officer similarly conclude that the Proposed Development would represent a logical expansion to the settlement; is capable of delivering a high quality and visual attractive design; and would be well contained within the wider landscape.

- 7.1.5. It is accepted that the Proposed Development does conflict with Policy SWDP 2: Development Strategy and Settlement Hierarchy / Part C to a degree, comprising land beyond the development boundary / within the open countryside. Any green field development beyond the development boundary would not be in accordance with SWDP2, and this conflict needs to be carefully weighed in the planning balance.
- 7.1.6. It should be noted that it is judged that the Proposed Development meets all other objectives of the NPPF, SWDP and Neighbourhood Plan in respect of landscape and visual matters, including policies relating to landscape character, green infrastructure / open space, and good design.
- 7.1.7. Overall the Case Officer judged that the harm to the landscape would be limited and that Proposed Development was acceptable in relation to landscape and visual matters. This is the same judgement reached in relation to the adjacent Suffolk Way Development, which share many similar characteristics in terms of site and scheme design.
- 7.1.8. Based on the evidence set out within this PoE, I concur with the position of the Case Officer and consider the Proposed Development to be acceptable in landscape and visual terms, and would not result in any undue consequences in relation to landscape character and views.

8.0 Summary

- 8.1.1. My name is Paul Andrew Lishman. I have a First Class Undergraduate Masters Degree in Landscape Planning and Management (MLPM) from the University of Manchester and an MSc in Spatial Planning from Oxford Brookes University. I am a Chartered Member of the Landscape Institute (CMLI) and Director at LDA Design Consulting Limited (LDA Design), an independent design, environment and sustainability consultancy.
- 8.1.2. I have around twenty years' experience in the landscape profession within the UK, with expertise in landscape character assessment, landscape and visual impact assessment (LVIA), and landscape-led design. I have prepared LVIA's and provided design guidance for a wide range of development proposals, including nationally significant infrastructure projects; mixed-use urban extensions and residential developments of varying size.
- 8.1.3. LDA Design was appointed by Lioncourt Strategic Land ('the Appellant') in January 2023 to provide masterplanning, landscape design and landscape assessment services in relation to the Proposed Development at Land at Dilmore Lane, Fernhill Heath, for up to 130 dwellings and associated landscaping.
- 8.1.4. The OPA was recommended for approval by the Case Officer but was refused planning permission at Planning Committee in May 2024. The Decision Notice (CD 3) had two Reasons for Refusal (RfR), the first relating to the principle of development and the second relating to the S106. The first RfR covered three aspects – the first was the location of the Appeal Site outside of the defined settlement boundary / within the open countryside; the second was the loss of BMV agricultural land; the third was the impact on the designated heritage asset of Tappenhill Farmhouse.

- 8.1.5. Matters in relation to BMV and heritage have since been confirmed by the Council that they would not in themselves amount to a reason to refuse planning permission but are matters which are to weigh in the overall planning balance.
- 8.1.6. In relation to impacts on the countryside, the Case Officers 'Planning Committee Report' (May 2024) (CD 1) identified some harm to landscape character / views; the loss of Best and Most Versatile (BMV) agricultural land; and the setting of Tappenhill Farmhouse, which is a Grade listed building. However, it was concluded that the harms identified would not significantly and demonstrably outweigh the benefits of the scheme. In addition, the 'Planning Committee Report' records that the Landscape Officer did not object to the proposed development on landscape and visual grounds; and the Case Officer concluded that the Proposed Development was acceptable in relation to landscape and visual matters.
- 8.1.7. It is noted that a development of 120 houses is located immediately to the south of the Appeal Site and shares many similar to characteristics to that the of the Proposed Development / Appeal Site. This scheme was approved by WDC in 2014 (planning reference W/14/00367/OU), with the Case Officers Committee Report (CD 55) concluding that d that were no strong landscape objections to development; the proposal will preserve and enhance the surrounding built environment; and the scheme includes environmental benefits including large areas of managed green infrastructure.
- 8.1.8. An overarching Planning SoCG (CD 45) has been entered into between the Appellant and MBC in relation to the Appeal. The key matters not in dispute - in respect of landscape and visual matters - are as follows:
- The Site is not subject to any landscape designations.
 - The Site is not a valued landscape as per paragraph 180(a) of the NPPF.

- 8.1.9. At the time of writing, a landscape-specific SoCG is being prepared to further clarify the main areas of agreement / disagreement in respect of landscape and visual matters.
- 8.1.10. As part of my evidence, I have prepared my own Summary Landscape and Visual Impact Assessment (LVIA) in accordance with LDA Design's methodology, with draws upon the established and best practice guidance.). This has been used to verify and quantify the findings of the original and qualitative LVA (that was submitted with the OPA)
- 8.1.11. My assessment finds that there would be some adverse effects on the landscape character / views of the Appeal Site itself and its immediate context as a consequence of change of use from agricultural land to built development. However, the long term, permanent effects on character and views from within the surrounding landscape would typically be no more than slight adverse or neutral as a consequence of the juxtaposition between the Proposed Development and the existing settlement area; the Proposed Development being of a similar nature and scale as adjoining residential land-uses; the integration and screening afforded by the proposed landscape strategy; and the screening effects of intervening landform, vegetation and settlement within the wider study area.
- 8.1.12. An iterative design process has been undertaken to ensure that measures to mitigate any adverse landscape and visual effects are incorporated into the design of the Proposed Development, along with other measures that could be deployed to deliver enhancement. The following design principles are embedded in the scheme design:
- **Ensuring the development provides a comprehensive Green Infrastructure (GI) strategy.** The Proposed Development will deliver GI provision in line with the policy requirements set out within the SWPD 5

- **Ensuring the development provides improvements to access and connectivity.** The GI Strategy will create a network of new pedestrian routes and open spaces, improving connectivity between the settlement and wider countryside.
- **Ensuring the development responds to prevailing settlement and landscape pattern.** The extent of the Appeal Site relates well to the existing settlement areas to the east and south, whilst setback from more rural landscape to the west and north and maintaining clear separation with Lower Town.
- **Ensuring the development provides an appropriate new settlement edge to the north to integrate effectively with the surrounding countryside.** Housing will typically front on the surrounding countryside and new planting along the Appeal Site boundary will soften the edges / provide some screening.
- **Ensuring the development provides an appropriate new interface to the south to integrate the effectively with the existing built-up area.** Housing will also front on to the existing Suffolk Way development and new green space will create a more logical, central space.
- **Ensuring the development responds to the character of Dilmore Lane.** The western section of the Appeal Site is proposed as green space in order to retain the rural approach from Dilmore Lane and provide a degree of separation from Tappenhill Farm.
- **Ensuring the development protects the character of the existing watercourse.** The drainage channel through the centre of the Appeal Site – along with existing planting - will be retained and enhanced a key landscape feature.
- **Ensuring the development building heights respond to local context.** In order to minimise landscape and visual impact, housing will be typically 2 storeys.

8.1.13. Overall I judge that the Proposed Development will relate well to the existing settlement area; will be well integrated with its landscape setting; and will retain / enhance the key characteristics and features of the landscape. There will also be benefits arising from the proposed landscape / green infrastructure strategy.

- 8.1.14. It is accepted that the Proposed Development does conflict with Policy SWDP 2: Development Strategy and Settlement Hierarchy / Part C to a degree, comprising land beyond the development boundary / within the open countryside. Any green field development beyond the development boundary would not be in accordance with SWDP2, and this conflict needs to be carefully weighed in the planning balance.
- 8.1.15. It should be noted that it is judged that the Proposed Development meets all other objectives of the NPPF, SWDP and Neighbourhood Plan in respect of landscape and visual matters, including polices relating to landscape character, green infrastructure / open space, and good design.
- 8.1.16. Overall, the Case Officer judged that the harm to the landscape would be limited and that Proposed Development was acceptable in relation to landscape and visual matters. This is the same judgement reached in relation to the adjacent Suffolk Way Development.
- 8.1.17. Based on the evidence set out within this PoE, I concur with the position of the Case Officer and consider the Proposed Development to be acceptable in landscape and visual terms and would not result in any undue consequences in relation to landscape character and views.