

**WYCHAVON DISTRICT COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 78**

**Appeal by Beechcroft Land Ltd**

**SITE: Land to the East of Kidderminster Road, Hampton Lovett**

**REFERENCES: Local Planning Authority Ref: 17/01631/OUT**

**Planning Inspectorate Ref: APP/H1840/W/18/3218814**

**Proof of Evidence by Mrs Eileen Marshall, BSc (Sp Hons), DipLA, MA, MCIHort**

## **Introduction**

My name is EILEEN ANNE MARSHALL. I have a BSc (Special Honours) Degree in Landscape Design and Plant Science, a Post-graduate Diploma in Landscape Architecture and an MA Degree in Landscape Design - all from the University of Sheffield. I am a Licentiate Member of the Landscape Institute and a Corporate Member of the Chartered Institute of Horticulture. I have held the post of Landscape Officer at Wychavon District Council since 1985, save for a period of six years between 1993 and 1999 when I took a career break to be a full-time mother.

The evidence which I have prepared and provide for this appeal reference APP/H1840/W/18/3218814 (in this proof of evidence) is true and I confirm that the opinions expressed are my true and professional opinions.

**1.0 Planning Application 17/01631/OUT: Land to the East of Kidderminster Road, Hampton Lovett. Outline planning application for the erection of up to 144 dwellings (including 50% affordable), access and associated works. Matters relating to Appearance, Landscaping, Layout and Scale are reserved for future consideration.**

1.1 With reference to the above planning application, I have read and considered the submitted Landscape & Visual Impact Assessment and its various Appendices 1 to 17 (dated October 2014) prepared by Arthur Amos Associates (LVIA) and the Landscape & Visual Impact Assessment Update and accompanying Appendix 18 (dated October 2016) prepared by Arthur Amos Consulting (LVIA2).

1.2 I have also considered the submitted Illustrative Site Plan (DJD Architects drawing no 2014/K729/15(F)).

1.3 I will address issues of Landscape Character and Visual Impact in relation to Refusal Reason 1, the National Planning Policy Framework 2018 (NPPF18) and policy SWDP25 of the adopted South Worcestershire Development Plan (SWDP). Planning evidence will consider further the policy implications. Since the issuing of the Decision Notice to refuse consent, the National Planning Policy Framework has been revised (July 2018) and I will refer to this revised Framework (NPPF18) in my evidence.

**2.0 Refusal Reason 1**

**The application site lies entirely outside the settlement boundary of Droitwich as defined under policy SWDP 2 of the South Worcestershire Development Plan 2016 (SWDP). The site is therefore defined as open countryside where development shall be strictly controlled. The proposed development fails to accord with the provisions of policy SWDP2 part C of the SWDP. The proposed development would go against the SWDP Development Strategy and the principles it is based upon (as set out under policy SWDP2) in that it would not safeguard or enhance the open countryside nor encourage the effective use or re-use of brownfield land. The proposal fails to take into account the latest Landscape Character Assessment and its guidelines. Development on this site would not be appropriate to, or integrate with, the character of the landscape**

setting and as such would be contrary to SWDP25. The SWDP has been prepared and adopted in the context of the National Planning Policy Framework (NPPF) and its contents reflect the presumption in favour of sustainable development and guide how the presumption will be applied locally. To grant planning permission would also go against one of the core planning principles as set out in para. 17 of the NPPF in that permitting development would not be plan-led. The proposed development is, therefore, contrary to adopted South Worcestershire Development Plan (2016) Policies SWDP1, 2, 4 and 25 as well as guidance contained in the National Planning Policy Framework (2012).

2.1 Paragraph 9 of NPPF18 requires that planning decisions '*should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*' Paragraph 127 (c) requires that planning decisions should ensure that developments '*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).*' I will demonstrate in my evidence how the proposed development would not reflect, and would not be sympathetic to, the local character and landscape setting. Paragraph 170 requires that planning decisions should '*contribute to and enhance the natural and local 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 ....*' However, with regard to 170 (a) it should be borne in mind that Paragraph 2 of NPPF18 also requires that planning decisions must '*reflect relevant international obligations and statutory requirements.*' The European Landscape Convention 2000 (ratified by the UK in 2006) acknowledges that '*the landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas*' (**Appendix 1**). This

recognises that all landscapes have some degree of value – not just those that have a statutory status or that are identified specifically in development plans. This particular landscape of the appeal site has value for the setting it provides for both the public right of way to its northern boundary (Monarch’s Way) and the Listed Building (as will be considered by my Conservation colleague), as well as the rural wooded agricultural landscape setting it provides to the hamlet of Hampton Lovett – as will be outlined in this Proof.

2.2 Policy SWDP25 requires that development proposals and their associated landscaping schemes must demonstrate that they take into account the latest Landscape Character Assessment and its Guidelines, and that they are appropriate to, and integrate with, the character of the landscape setting. Also, that they conserve, and where appropriate enhance, the primary characteristics defined in character assessments. I will explain in my evidence why the proposed development would not accord with policy SWDP25.

2.3 The NPPF18, SWDP and Landscape Character Assessments are all important considerations. Indeed, Brandon Lewis (former Minister of State for Housing and Planning) reminded us in his letter of 27 March 2015 to the Chief Executive of The Planning Inspectorate (**Appendix 2**) of the importance of landscape character as a material consideration in planning decisions. Also, of the need to take full account of the environmental as well as the economic and social dimensions of development proposals in delivering sustainable outcomes – which is at the heart of the NPPF18.

### 3.0 Landscape Character

#### 3.1 National Character Area profile: 106. Severn and Avon Vales 2014

England has been the subject of a nationwide Landscape Character Assessment which has divided the country into 159 distinct National Character Areas (NCAs) – each defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. The descriptions of these character areas provide a contextual description of the wider landscape. The Appeal site falls within NCA 106: Severn & Avon Vales (**Appendix 3**) and we are advised that *‘The northern section of the area divides into two distinct landscapes characterised by their historic patterns of settlement and field boundaries. In the west, ..... there is an ancient landscape of dispersed settlements with numerous open commons ... and small pasture fields’* (page 7). The ‘Key Facts and Data’ section at paragraph 8.1 (page 24) highlights with respect to settlement pattern that *‘Although the area is mainly one of towns and nucleated villages, towards the west and particularly on the poorer land there are hamlets and common-edge settlements in a rather dispersed pattern.’* An analysis of the NCA identifies amongst the Landscape Attributes for the character area *‘a distinctly contrasting settlement pattern in the west and east of the NCA, with dispersed villages in the west and strongly nucleated settlement in the east’* (Appendix 3, page 35).

3.2 Statement of Environmental Opportunities SEO2 for NCA 106 (page 4) includes seeking *‘to safeguard and enhance the distinctive pattern of .... settlement ....’*

3.3 This national characterisation provides a broad framework for the more detailed and localised Landscape Character Assessments. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and

identify the features that give it a sense of place. It can help inform, plan and manage change such that it causes the least harm to the identified landscape character that is appropriate in the circumstances.

### 3.4 Landscape Character Assessment Supplementary Guidance (August 2012)

Landscape Character Assessment Supplementary Guidance (August 2012), prepared by Worcestershire County Council and endorsed by Worcestershire County Council's Cabinet on 24<sup>th</sup> November 2011, identifies the appeal site as being within the Principal Timbered Farmlands Landscape Type (**Appendix 4**) and the more localised Westwood Principal Timbered Farmlands Landscape Description Unit (**Appendix 5**). The Urban Landscape Type of Droitwich is contained to the south, defined by the northern boundary of the Westlands housing estate and Berry Hill Industrial Estate, with a swathe of open countryside forming part of the Significant Gap designated in the SWDP separating the proposed residential part of the Appeal site from the identified Urban area of Droitwich (**Appendix 6**)

3.5 The landscape of the Principal Timbered Farmlands is described in the Landscape Character Assessment (LCA) as being '*A small- to medium-scale wooded, agricultural landscape ..... This is a complex, in places intimate, landscape of irregularly shaped woodlands, winding lanes and frequent wayside dwellings and farmsteads.*'

Key Characteristics for the LT include '*small-scale landscape*' and '*dispersed settlement pattern.*' The LCA advises this LT has a '*dispersed pattern of farmsteads and wayside cottages and lack of strong settlement nuclei..... any concentrations of new development in particular localities would disrupt the inherent pattern of settlement dispersal.*'

3.6 The Landscape Guidelines for this Landscape Type include '*maintain the historic dispersed settlement pattern.*'

3.7 The more localised Landscape Description Unit is described in the LCA as being ‘*an area of mixed farming with farmsteads and groups of wayside dwellings associated with a moderate to high level of dispersal and a small to medium scale field pattern*’ and acknowledges the ‘*localised high urban impact along urban fringe also includes separate industrial estate and golf course.*’ The screenshot of the County Council LCA interactive mapping page at **Appendix 6** illustrates the ‘separate’ Hampton Lovett Industrial Estate within the Principal Timbered Farmlands Landscape Type and the ‘urban fringe’ of Droitwich to the south, which includes the Berry Hill Industrial Estate and the Westlands housing estate within the identified Urban Landscape Type.

### 3.8 Landscape Character issues in relation to development proposals

As outlined above, at a national and more local level the settlement pattern for the character areas in which the Appeal site is located is identified as being dispersed, with hamlets and frequent wayside dwellings and cottages. The described settlement pattern is exactly as is found on the ground, with isolated wayside dwellings on Kidderminster Road and to the north of The Forest, the access road to the historic Hampton Lovett Church (**Appendix 7**). It is highly representative of what is regarded as being good about this landscape character type. Indeed, the LVIA acknowledges at paragraph 4.10.6 that ‘*the hamlet of Hampton Lovett is broadly typical of the small settlements characteristic of the Landscape Character type. The site provides a rural edge to the hamlet and helps maintain its physical independence and therefore character type*’ and illustrates the ‘*small hamlet*’ of Hampton Lovett in Appendix 10 at photograph E2. We are advised in landscape characterisation that there is a lack of strong settlement nuclei and that any concentrations of new development would

disrupt the inherent pattern of settlement dispersal. Guidelines at both a national and local level are to maintain and safeguard the distinctive dispersed settlement pattern.

3.9 Development on the Appeal site of up to 144 dwellings, whether laid out as shown on the Illustrative Site Plan (drawing 2014/K729/15(F)) or otherwise, would be completely at odds with the identified landscape character (in consideration of settlement pattern as an indicator of landscape character) and would inevitably result in a change in the identified settlement pattern. It would result in a concentration of settlement with a stronger nucleus, which would indeed disrupt the inherent pattern of settlement dispersal. The proposed development would not, therefore, respect the identified landscape character of a dispersed settlement pattern, as outlined in NCA 106 and the Worcestershire LCA. Neither would it maintain the historic dispersed settlement pattern and so would not follow the published Landscape Guidelines in respect of settlement pattern for the Landscape Type within which the appeal site falls.

3.10 Furthermore, despite the presence of the Hampton Lovett Industrial Estate to the west of Kidderminster Road, the character of Kidderminster Road in the vicinity of the Appeal site may be regarded as rural in character. On leaving Droitwich along the A442 Kidderminster Road, the Urban Landscape Type that includes the well-screened Berry Hill Industrial Estate and Westlands housing estate (**Appendix 6**) is left behind before the roundabout at the junction with Pointon Way. On approaching the roundabout, there is a swathe of open rural land with a distinctly wooded character to either side of Kidderminster Road – the open land alongside Elmbridge Brook which runs east-west (designated as Significant Gap in the SWDP). At the roundabout and on leaving it there is an awareness of the industrial units to the west, in a well landscaped setting – and beyond Wassage Way (the main entrance into Hampton

Lovett Industrial Estate) the character to the west of the road is distinctly rural as the established woodland screens the industrial estate beyond (the woodland areas that contribute to the wooded rural character of the area are shown within the LVIA at Appendix 11, with those woodlands which serve to screen the Berry Hill Industrial Estate to the south of the Appeal site and the Hampton Lovett Industrial Estate to the west of the site and Kidderminster Road annotated as W1, W4, W5 and W6). To the east of Kidderminster Road the character is essentially rural with a combination of woodland and agricultural land. The landscape character of the area in the vicinity of the Appeal site is a small- to medium-scale wooded, agricultural landscape - exactly as described in the County LCA for the Landscape Type within which it is located. The Doverdale Park Home site does not detract significantly from the rural character of the area, having well vegetated western and southern boundaries in particular. Historically, Doverdale Park Home is a legacy of the former wartime Prisoner of War camp on this site. It is not unusual to find mobile home parks in rural locations – indeed, that is normally where they are to be found. Significantly, there is no concentration of residential development in this local area, as already outlined above.

3.11 It is my professional opinion that this particular landscape cannot accommodate change arising from the proposed development without detrimental effects on its character. The proposals are not appropriate to, and would not integrate with, the character of the landscape setting – being an identified small-scale landscape with agricultural land use, and with those characteristics being evident on the ground. Development on the appeal site as proposed would introduce settlement of indicatively sub-urban scale and layout into an identified small to medium-scale wooded agricultural landscape with a dispersed settlement pattern characterised by wayside dwellings - and, in so doing, would not respect the identified lack of strong settlement

nuclei, the LCA advising that *'any concentrations of new development in particular localities would disrupt the inherent pattern of settlement dispersal.'* Furthermore, the scale of the proposed development would be disproportionately large when compared to the size of the hamlet of Hampton Lovett – such development would be inappropriate in a landscape that is identified as being 'small-scale'. By reason of its scale, location and design, and for the reasons outlined above, the proposed development would not be appropriate to, nor integrate with, the landscape setting of the appeal site.

3.12 Residential development on the Appeal site would not accord with the identified landscape character for the reasons outlined above. Landscape Character Assessment has not been applied appropriately as a tool in understanding the character and local distinctiveness of the area (and the settlement pattern in particular) in reaching a sound conclusion, and has not fully informed the proposed future use of the site. The proposal for development does not properly take into account the latest Landscape Character Assessment and its Guidelines with respect to settlement pattern and is not appropriate to, and would not integrate with, the character of the landscape setting as required by SWDP25 for the reasons outlined.

3.13 The proposed development would not, I suggest, respect the characteristic dispersed settlement pattern identified in Natural England's NCA 106 or the Worcestershire LCA, or be appropriate in the identified small to medium scale wooded, agricultural landscape. Neither would it follow Natural England's SEO2 of NCA 106 (para 3.2 above) or Worcestershire County Council's Landscape Guidelines for the Landscape Type (para 3.6 above).

3.14 And so the proposed development does not, in my opinion, comply with the requirements of NPPF18 paragraph 9 as it does not reflect the character of the area or Paragraph 127 (c) as it is not sympathetic to local character, including the landscape setting. Neither does it comply with policy SWDP25 for the reasons outlined above. Landscape Character Assessment has not been properly used as a tool to help understand the character and local distinctiveness of the landscape or to help inform and plan change.

3.15 I acknowledge the LVIA (and updated LVIA2) that was submitted in support of this application and the various appendices. There is an emphasis in the Guidelines for Landscape and Visual Impact Assessment (Third Edition) published jointly by the Landscape Institute and the Institute of Environmental Management and Assessment (GLVIA3) on professional judgement. I do not agree with the findings of the LVIA with respect to settlement pattern – the LVIA suggesting that the ‘Residual Magnitude’ effect would be ‘*Neutral*’ (para 7.10.3). The site does not sit ‘*between two characters of settlement pattern*’ as suggested (para 7.10.1) – it sits immediately adjacent to the hamlet of Hampton Lovett and some distance from the urban edge of Droitwich. I fail to see how the proposed development could be considered to form ‘*an extension to a major existing settlement*’ (para 7.10.1) given the degree of separation from it with the intervening Significant Gap. For the reasons outlined above, and using the same criteria as outlined in the LVIA (Table 3, page 4), my professional view is that the ‘Residual Magnitude’ effect would be High Adverse – as there would be a ‘*major alteration to key ...characteristics of the baseline....*’ The settlement pattern proposed would be significantly different to the identified characteristics of the existing baseline (dispersed settlement pattern) – to my mind there is not just a difference in

professional judgement but, rather, the judgement taken in the LVIA appears at odds with the assessment methodology used (Table 3, page 4).

Following on from that, neither do I agree with the assessment of the 'Significance of Landscape Effects' with respect to Settlement Pattern as outlined in Table 10 (page 62) of the LVIA, which regards the 'Significance & Quality of Effects' as '*Not Significant.*' Using the same criteria outlined in the LVIA (Tables 4 and 5, page 5), with Medium Sensitivity (agreed) and High Magnitude (in my opinion, as outlined above) giving a High level of significance then the 'Significance & Quality of Effects' in my view would be High to Medium Adverse – as the effect on settlement pattern cannot be mitigated, would be out of scale with the landscape and would be at a considerable variance to the identified landscape character of a dispersed settlement pattern. The erroneous judgement of Residual Magnitude with respect to settlement pattern has skewed the outcome of the Significance and Quality of Effects with respect to this indicator of landscape character.

3.16 Whilst I acknowledge that the indicative landscape proposals as outlined on the Illustrative Site Plan (DJD Architects drawing no 2014/K729/15(F)) would provide some landscape and ecological enhancement (mitigation measures outlined in the LVIA at section 6.2, including new tree and hedgerow planting of native species), I do not consider that these enhancements outweigh the adverse impact that would be caused by the proposed development on the identified landscape character - in particular its' impact on identified settlement pattern as a indicator of character.

3.17 The Rt Hon Brandon Lewis MP, during his time as Minister of State for Housing and Planning, outlined in a letter to The Planning Inspectorate (**Appendix 2**) that he had become aware of several appeal cases in which harm to landscape character had

been an important consideration in the appeal being dismissed. He advised that these cases are a reminder that decisions should take into account the different roles and character of different areas, and recognise the intrinsic character of the countryside – to ensure that development is suitable for the local context. He further advised that these cases also reflect the wider emphasis on delivering sustainable outcomes at the heart of the Framework (and which is continued in NPPF18), which means taking full account of the environmental as well as the economic and social dimensions of development proposals.

#### **4.0 Visual Impact**

- 4.1 When assessing the significance of visual effects, The Guidelines for Landscape and Visual Impact Assessment (Third Edition) published jointly by the Landscape Institute and the Institute of Environmental Management and Assessment (GLVIA3) advises in paragraph 6.31 *'It is important to remember at the outset that visual receptors are all people. Each visual receptor, meaning the particular person or group of people likely to be affected at a specific viewpoint, should be assessed in terms of both their susceptibility to change in views and visual amenity and also the value attached to particular views.'*
- 4.2 Regarding sensitivity of visual receptors, paragraph 6.33 of GLVIA3 advises *'The visual receptors most susceptible to change are generally likely to include: residents at home...; visitors to heritage assets ... where views of the surroundings are an important contributor to the experience [and] people, whether residents or visitors, who are engaged in outdoor recreation, including use of public rights of way, whose attention or interest is likely to be focused on the landscape and on particular views....'* It further advises that *'travellers on road ... tend to fall into an intermediate category of*

*moderate susceptibility to change...* The LVIA in Table 6 (page 7) categorises visual receptor sensitivity differently. Whilst it regards viewers in private properties as being of High Sensitivity, it regards users of public rights of way as being of Medium Sensitivity and users of the highway as Low Sensitivity.

- 4.3 Regarding magnitude of visual effects paragraph 6.38 of GLVIA3 advises that *'Each of the visual effects identified needs to be evaluated in terms of its size or scale, the geographical extent of the area influenced, and its duration and reversibility.'*
- 4.4 Paragraph 6.42 then advises that *'To draw final conclusions about significance the separate judgements about the sensitivity of the visual receptors and the magnitude of the visual effects need to be combined, to allow a final judgement about whether each effect is significant or not.'*
- 4.5 Whilst it is acknowledged that the appeal site is fairly well contained in the wider landscape by a combination of existing vegetation and topography, the visual impact of the proposed development would be most appreciated locally by some of the most sensitive of receptors (according to GLVIA3) –
1. by local residents of Kidderminster Road, The Forest and Doverdale Park Homes – representative views from in front of properties on The Forest and Doverdale Park Homes are included at Appendix 17 of the LVIA (photographs Receptor 2a, 2b, 4 and 5). Those currently open rural views would be permanently altered as a result of the proposed development – with rural views transformed into views of suburban development. The LVIA acknowledges at paragraph 7.5.2 that *'The proposed development would reduce the sense of openness as residential properties and new tree planting increase the sense of enclosure on the site.'*

2. by visitors to the Grade 1 Listed Church of St Mary and All Saints – the setting of the Listed church and its relationship with the appeal site will be considered in the evidence of my Conservation colleague. However, views from the frontage of the church and the churchyard towards the site are included at Appendix 17 of the LVIA (photographs Receptor 1a and 1b).
3. by people using the Public Right of Way to the northern site boundary - which forms part of the 625 mile long Monarch's Way Long Distance Footpath (LDP), based on the route taken by King Charles II during his escape after being defeated by Cromwell in the final battle of the Civil Wars at Worcester in 1651. This right of way is, therefore, used not only by local people but also visitors to the area who are following the LDP, who are engaged in outdoor recreation and whose attention or interest is likely to be focused on the landscape and on particular views – and where views of the surroundings are an important contributor to the experience. The LVIA at paragraph 10.2.4 suggests that '*There are only a few intermittent glimpses of the site from public rights of way (Monarch's Way) to the north of the site and these quickly disappear as the ground levels fall as the site is approached. The visual impact on visual receptors in the rural landscape generally is therefore not significant.*' Monarch's Way follows The Forest to the site's northern boundary and views from it towards the site are, I suggest, greater than simply 'intermittent glimpses' due to the sparse nature of the roadside hedge. Views from this path/The Forest towards the appeal site are included at Appendix 18 of LVIA2 (Photographs 1a, 2a, 2b and 2c). Transforming the Public Right of Way from one which is ostensibly rural in nature to one which will run alongside visible urbanised development across the width of the site would, in my opinion, reduce the enjoyment of its' use with the loss of open rural views currently experienced.

4.6 In addition, the appeal site is clearly open to view from Kidderminster Road when passing the site and from Doverdale Lane when approaching from the west (LVIA Appendix 17 photograph Receptor 14 – NOTE: this is annotated as being the view from the access road to the industrial estate; it is, however, the view from Doverdale Lane which leads to/from the hamlet of Doverdale and the main A449 Worcester-Kidderminster road further west) – by receptors that, we are advised by GLVIA3, fall into an intermediate category of moderate susceptibility to change. When travelling along Kidderminster Road, particularly when approaching from the north, the industrial estate is well softened by mature boundary vegetation; the only built form readily visible consists of isolated dwellings to either side of the road in the vicinity of The Forest and mobile homes on the latest extension to Doverdale Park Homes. Wayside dwellings are typically seen in this local landscape and it is not unusual to see mobile homes in rural locations. The introduction of a dense suburban housing estate would be visibly out of character with the local rural area in views from the highway.

4.7 Whilst the visual impact of the proposals may be relatively localised, the scale of the change in those views with respect to addition of proposed features (new built form and associated screen planting, in consideration after 15 years' growth), the proportion of the view occupied by the proposals and the nature of the view (being full from adjacent dwellings and the church, and partial from the highway), the close proximity of the proposals in those views and the extent of the area over which the change would be visible, and the fact that the change would be permanent and irreversible would result in the magnitude of the visual effects being High Adverse in my opinion (using the same criteria as the LVIA, as outlined in Table 7 at page 7) with respect to adjacent residents, visitors to the church and users of the PRow, and Medium Adverse for users of the highway. The LVIA differs in opinion in regarding Residual

Magnitude (15 years post completion) as being Low Beneficial for residents on The Forest and visitors to the church, Negligible for users of the Monarch's Way PRoW and residents on Kidderminster Road backing onto the site, Medium Adverse for residents to the northern boundary of Doverdale Park Homes and High Adverse for residents to the Eastern boundary, and Low Adverse for people travelling on Kidderminster Road.

4.8 The Significance of the visual effects, combining sensitivity of receptors and magnitude of effect (again using the same criteria as the LVIA outlined at table 8 and Table 9, page 8), would then be High Adverse for local residents, visitors to the church and users of the PRoW (where the scheme would cause a significant deterioration in the view), and Medium Adverse for users of the highway (where the scheme would cause a noticeable deterioration in the existing view). The LVIA differs in its assessment of Significance, regarding the effects as being Low to Medium adverse for local residents on the Forest and Kidderminster Road, Low Adverse for visitors to the church, High for residents of Doverdale Park Homes and Not Significant for users of both the Monarch's Way PRoW to the northern boundary and travellers on Kidderminster Road.

4.9 I suggest this discrepancy in the assessment of Significance of visual effects is largely as a result of the differing criteria used for determining the sensitivity of receptors and the difference of professional opinion in assessing magnitude of effect. The LVIA regards the magnitude of effect as being reduced as the proposed buffer planting to The Forest and Kidderminster Road frontages matures, and that this planting should be regarded as being beneficial. Whilst it may well be the case that maturing planting will act as a visual filter for the proposed dwellings, those dwellings will still be visible through that vegetation particularly for the six months of the year that the trees are not

in leaf. In addition, the planted buffers themselves would create additional features in those views. Whether or not this planting might be regarded as 'beneficial', and better than the open rural views currently experienced, is largely subjective. The assumption that planting is regarded as being 'beneficial' per se tends to skew the assessment of Significance of the visual impact of the proposed development.

4.10 In my opinion the LVIA serves to illustrate that the proposed development would be visibly at odds with the identified agricultural landscape character and also with the identified settlement pattern. The LVIA advises at paragraph 5.2 that '*The design, scale, density, and layout of the residential development would be typical of modern residential development, and therefore would be visually similar to the existing residential areas to the south-west of the site and with other residential areas within the wider Droitwich Spa conurbation.*' That would, I suggest for the reasons already outlined, be completely inappropriate and visually unacceptable on the appeal site. The change to the identified dispersed settlement pattern with wayside dwellings, and the way in which the proposed development would not respect landscape character assessments in consideration of settlement pattern as an indicator of landscape character, being clearly appreciated in views in the local landscape by some of the most sensitive of visual receptors.

## **5.0 Conclusion**

5.1 To conclude, it is my professional opinion that this landscape cannot accommodate change arising from the proposed development without significant detrimental effect on its landscape character. Whilst acknowledging that there may be biodiversity benefits as a result of the proposed landscaping, any benefits would not outweigh the harm that would be caused to landscape character and the identified Key

Characteristics of the identified Landscape Type within which the appeal site is situated - the Principal Timbered Farmlands Landscape Type, as identified within the Worcestershire Landscape Character Assessment. Residential development on the appeal site as proposed would introduce settlement of indicatively sub-urban scale and layout into an identified small to medium-scale wooded agricultural landscape with a dispersed settlement pattern characterised by wayside dwellings - and, in so doing, would not respect the identified lack of strong settlement nuclei, the LCA advising that *'any concentrations of new development in particular localities would disrupt the inherent pattern of settlement dispersal.'* Furthermore, the scale of the proposed development would be disproportionately large when compared to the size of the hamlet of Hampton Lovett – such development would be inappropriate in a landscape that is identified as being *'small-scale'*. By reason of its scale, location and design, and for the reasons outlined above, the proposed development would not be appropriate to, nor integrate with, the landscape setting of the appeal site. Neither would it conserve the key characteristics defined in landscape character assessment nor follow published guidelines in respect of that identified landscape character, with respect to settlement pattern in particular as an indicator of landscape character. I suggest that Landscape Character Assessment has not been appropriately applied as a tool in understanding the character and local distinctiveness of the settlement pattern and has not fully informed the proposed future use of the site. The proposal makes no proper understanding of the pattern of settlement in planning for new development and would not maintain the historic dispersed settlement pattern as outlined in the Landscape Guidelines for the Landscape Type.

- 5.2 Furthermore, the proposed development would cause significant adverse visual impact where receptors are regarded as amongst the most sensitive. The change to

settlement pattern and introduction of settlement into the identified small to medium-scale agricultural landscape would be discernible in local views from nearby residential properties, from the Public Right of Way of Monarch's Way to the northern boundary of the site, from the Grade 1 Listed Church of St Mary and All Saints and from the public highway at Kidderminster Road and Doverdale Lane.

- 5.3 For the reasons outlined, the development proposal would not accord with Policy SWDP25 of the adopted South Worcestershire Development Plan or paragraphs 9 and 127(c) of the NPPF18.
- 5.4 I respectfully suggest that the harm caused by the proposed development both in terms of its landscape and visual impacts, as outlined in this Proof of Evidence, is significant and ask that due account of this harm is taken when weighing it against other factors in the balancing exercise for a sustainable outcome.

**Eileen Marshall Bsc (Sp Hons), Dip LA, MA, MCIHort**

**Landscape Officer**

**Wychavon District Council**

**August 2019**

## **Appendices**

### **Appendix 1**

European Landscape Convention            2000

*Council of Europe*        website (accessed 6 August 2019)

<https://www.coe.int/en/web/landscape/about-the-convention>

### **Appendix 2**

Letter from Brandon Lewis MP (former Minister of State for Housing and Planning) to  
Chief Executive, The Planning Inspectorate        27 March 2015

### **Appendix 3**

National Character Area Profile: 106. Severn and Avon Vales            2014

(Extracts – pages 1, 3, 4, 7, 24, 35)

*Natural England*

<http://publications.naturalengland.org.uk/publication/1831421>

### **Appendix 4**

Landscape Character Assessment: Supplementary Guidance            August 2012

Principal Timbered Farmlands – Landscape Type Information Sheet

*Worcestershire County Council*

[http://www.worcestershire.gov.uk/downloads/file/4484/landscape\\_types\\_principal\\_timbered\\_farmlands](http://www.worcestershire.gov.uk/downloads/file/4484/landscape_types_principal_timbered_farmlands)

### **Appendix 5**

LDU    MW118.2    Westwood Principal Timbered Farmlands    2012

## **Appendix 6**

Screenshot of the County Council LCA interactive mapping page, illustrating Principal Timbered Farmlands Landscape Type in green shading and Urban Landscape Type in grey shading

*Worcestershire County Council* website [accessed 6 August 2019]

<http://gis.worcestershire.gov.uk/website/LandscapeCharacter/>

## **Appendix 7**

Map highlighting dispersed settlement pattern with wayside dwellings in the hamlet of Hampton Lovett – along The Forest and Kidderminster Road

AND map showing a concentration of settlement with a stronger nucleus which would result from the proposed development