

**Inglewood, Paignton**

**NPA Comments on  
Torbay Landscape Advice by Jacobs, June 2018**

**A Report on behalf Abacus Projects Ltd**

**June 2018**

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### **FIGURES taken from other reports and renumbered and/ or from LVIA Appendix II**

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Comparison of RVs and Visual Receptors

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## NON-TECHNICAL SUMMARY

### NPA Comments on Jacobs Torbay Landscape Advice

It is acknowledged both in the Torbay Landscape Character Assessment (Enderby 2010) for Area IO North Galmpton) and the AECOM Site Appraisal (October 2016) for Area – White Rock Extensions, that there is potential for development within the location west of the Brixham Road, if the area of development were reduced from that shown in Area IO North Galmpton and White Rock Extensions and ‘the relationship to the Conservation Area and AONB ... carefully considered’.

The NPA Landscape and Visual Impact Assessment, in a carefully considered process, has advised the design team on the development, to limit impacts. The proposals are in a reduced area compared to that shown in the reports mentioned above. They lie away from the AONB boundary and the Galmpton and Waddeton Conservation Areas. They leave a gap between Goodrington and Galmpton. The higher contours of the northern, most elevated field are avoided opposite the bungalows and laid to allotments/ orchard. This reduces the impacts on local residents and on the wider visual amenity.

NPA acknowledges that on completion of construction, there would be adverse residual impacts, judged to range from Substantial/ Moderate to Negligible, after planting has become established. Whilst acknowledging that there would be adverse effects, some of which would be substantial, moderating over time, overall, it is judged that neither landscape nor visual effects would be significant.

The Jacobs report concludes that NPA have underestimated the impacts; NPA consider their conclusions to be accurate which the Torbay Teignmouth Landscape Officer has confirmed and which are discussed below.

The methodology of the LVIA has been approved by both the Torbay Teignmouth Landscape Officer and the AONB Unit.

### Limitations of Advice

Jacobs has stated that the assessments may not be comparing like for like and that only a selection of representative viewpoints presented in the applicant’s LVIA were visited on the site visit. The NPA LVIA report with addendum covered more extensive viewpoints, including ones where the site was less visible.

Although both assessments, for the most part, use the NPA LVIA Appendix I methodology criteria, the methodology itself differs. In the limitations of selected, representative views considered by Jacobs, it is not made clear that the NPA assessment of visual receptors is not only based on several representative viewpoints, but also on other views obtained by a receptor/ viewer group moving through the landscape.

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The NPA methodology of assessing the viewer's experience, considers the visual effects not only where the site is more clearly visible, but also where the site can only be glimpsed or seen obliquely. It is considered that this approach provides a more balanced judgement of impacts than an assessment which focuses only on a viewpoint showing the viewer's experience in locations where the site is most clearly visible. For most of the AONB, views of the site are not readily available to the visual receptors such as those sailing in the Dart Estuary, or on the lower river banks such as in lower Dittisham.

This however is not the only reason for judgement of a lower impact. The NPA consideration of the location of the proposals, judges the development not to be out of place in the landscape or views due to its location on the urban edge, set in the large expanse of remaining countryside.

The NPA methodology for assessment of significance also differs to that adopted by Jacobs. Significance is not assessed for each receptor or viewpoint/ viewer group. It is an overall judgement based on an overview of the whole assessment as to whether the impacts are significant. Within the study area, the landscape and views of the Dart Valley in the South Devon AONB in the study area are not significantly changed.

The conclusions in the LVIA Addendum are for the amendments proposed therein. In the LVIA (October 2017), section 12, it is concluded that the following effects are not significant:

#### *Landscape Effects*

*The proposed residential development will have some minor and a few substantial local adverse effects but as a whole it is judged that these will not alter the wider landscape character.*

#### *Visual Effects Residents - Road Users and Users of the PRowS as visual receptors*

*As for landscape, although there are some substantial adverse impacts on visual receptors local to the site, for receptors in the wider visual envelope, the effects although adverse are slight and do not change the nature of the view.*

#### *Visual Effects - The Local AONB within the study area as a whole as a visual receptor*

*The site does not lie within the AONB. Only a small area of the South Devon AONB lies within the study area and even less within the visual envelope. Views from the AONB, in which the site is visible, are middle distant to distant. in the long term, the effects on the visual receptors in the AONB and on the AONB as a whole as a visual receptor are judged to be not significant.*

### **Summary Conclusion**

It is considered that the NPA conclusions are valid. It is recognised that the development would have an adverse impact on the AONB and it is judged that, overall, the residual effect would not be significant. It is considered that this assessment does not underestimate the indirect effect of the proposals on the local AONB landscape, the Special Qualities of the AONB, or on the visual amenity of the AONB.

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## 1.0 INTRODUCTION

- 1.1.1 Following the submission of the LVIA report, dated October 2017, submitted as part of the planning application in November 2017 and an Addendum, dated February 2018, submitted in March 2018, comments were received from the Teignmouth Torbay Landscape officer and the AONB manager. Jacobs was asked to give a second opinion on landscape and visual impacts of the proposed development.
- 1.1.2 The Jacobs report examines key landscape planning policy: national and local policy, but focuses more on the AONB Management Plan, the Emerging BPNP, the Torbay Local Plan and the Torbay Landscape Character Assessment. The review centres on the assessment of the significance of effects on the landscape near the AONB and of the effects on the visual receptors in the AONB from certain locations in the AONB. The Jacobs review also comments on the NPA LVIA methodology. This response uses the same headings as the Jacobs report for ease of cross-reference.

## 2.0 LIMITATIONS OF ADVICE

- 2.1.1 The limitations of the Jacobs advice are noted.
- 2.1.2 The Jacobs report states that only a selection of representative viewpoints presented in the applicant's LVIA were visited on the site visit.
- 2.1.3 The NPA LVIA reports covered more extensive viewpoints including ones where the site was less visible. Jacobs recognises this in section 7 of their report, and in their Table 7.1 where the visual amenity is assessed and compared:

*It is acknowledged that in some cases the applicant's assessment may not be directly comparable to the Jacobs assessment. This is because the Jacobs assessment is based on the viewpoints visited on the site visit undertaken jointly with the applicant, whereas the applicant's assessment is typically based on one or more representative viewpoints. Nevertheless, the table below shows the main areas of difference between the Jacobs and applicant's assessment. Where more than one representative viewpoint forms the basis of the applicant's assessment, this is noted.*

- 2.1.4 Jacobs has stated that the assessments may not be comparing like for like.
- 2.1.5 Although the NPA criteria are largely used in both assessments, the methodologies are different, making comparison difficult. Both the Teignmouth Torbay landscape officer and the

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- AONB Unit have agreed the landscape receptors, viewpoints, visual receptors and NPA methodology.
- 2.1.6 Jacobs has assessed the visual receptor receiving each specific view. The viewpoints chosen for the site visit were the most elevated. The views are on the upper valley sides to the south of the River Dart in the northernmost part of the AONB.
- 2.1.7 The methodology differs in that in the limitations of selected, representative views considered by Jacobs, it is not made clear that the NPA assessment of visual receptors, is not only based on several representative viewpoints, but also on other views obtained by a receptor moving through the landscape.
- 2.1.8 For example the visual receptor group ‘Users of the Public Rights of Way (PRoWs) South of the River Dart’ experiences the views, as shown in the Representative Viewpoints 5d, 6a-b, 7a, 7b—e. The Representative views do not include the areas within the study area and the AONB, south of the River Dart, which are outside of the Zone of Theoretical Visibility, ZTV, such as the majority of the John Musgrave Heritage Trail/ also known as the Dart Valley Trail, from Cornworthy to Dittisham, which runs across the study area and is experienced by this receptor group. The site is visible for a comparatively short section of another section of the recreational trail in views 7b descending to 7e. In some photographs for the sequential views, 7e for example, the view is oblique and the site is barely perceptible, so the magnitude of change from the baseline situation is therefore reduced. It was suggested that this path was walked down during the site visit but time was limited.
- 2.1.9 The NPA methodology of assessing the receptor’s experience moving through the landscape, considers the visual effects not only where the site is more clearly visible, but also where the site can only be glimpsed or seen obliquely. It is considered that this approach provides a more balanced judgement of impacts than an assessment which focuses only on the viewer’s experience in locations where the site is more clearly visible. For most of the AONB, views of the site are not readily available to the visual receptors such as those sailing in the Dart Estuary, or on the lower river banks such as in lower Dittisham.
- 2.1.10 Although the difference in the assessment type is acknowledged by Jacobs, it is suggested that this has led to the assessment of greater impact from not all but some locations.

### 3.0 DESCRIPTION OF THE SITE AND LANDSCAPE CONTEXT

#### 3.1 General Comment

- 3.1.1 As a general introduction, it should be noted that landscape includes both countryside and settlement, both of which are to a greater or lesser extent manmade.

*"Landscape means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors." (European Landscape Convention, 2000)*

- 3.1.2 The site although comprising fields, lies within an urban as well as rural context as its eastern site boundary is contiguous with the busy Brixham Road on the urban edge. This is easily overlooked when the rural rather than urban elements are focused on.
- 3.1.3 Although the Torbay Landscape Character Assessment is most relevant when assessing the site, the context includes a much wider area with the South Hams countryside extending from the western site boundary which runs along the Torbay–South Hams District boundary. As stated above, the site lies adjacent to the western edge of the Torbay conurbation but it also lies on the eastern edge of an extensive rural landscape character area of rolling farmland, which covers a large area to the west moving across the district boundary into the South Hams, so although reduced in size, a large area of this landscape receptor remains. This provides a landscape ‘setting’ for Torbay and for the AONB.

#### 3.2 Description of the Site and Landscape Context

- 3.2.1 The Jacobs review describes the site and its context, with reference to the Torbay Landscape Character Assessment and the Area of Local Character (AoLC) IO North Galmpton, in which the site lies.

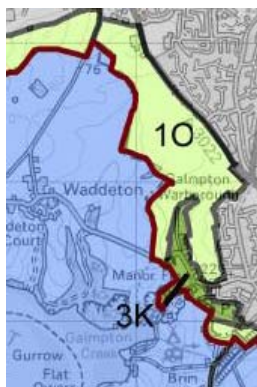


Figure A - Area of Local Character (AoLC)  
IO North Galmpton (Rolling Farmed Landscape)

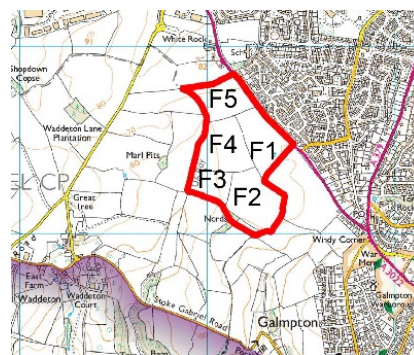


Figure B - The site and field numbering



3.2.2 The AoLC description, quoted below, divides the site into a northern and southern part:

*Much of the area is relatively open farmland and the northern part is more open and this allows long distance views to the south west to hills beyond the Dart within the AONB, whilst the southern part of the area is screened from the west by a combination of a slight ridge and field boundaries; a field north of Galmpton is used for a car boot sale.*

*The existing urban edge at Goodrington, abutting the road on the eastern boundary of this area is quite well integrated by mature trees and hedges along the road and within adjoining detached properties although the traffic is visible and audible. There are no public rights of way across this area.*

3.2.3 The Jacobs report states that the “The AoLC description does not detail where the division lies between the more open land to the north and the more enclosed land to the south”. Whilst it is agreed that the northern part is more open, and the extent of this is not defined.

3.2.4 NPA would define the north-south divide differently to Jacobs, who suggest the divide is located just north of Nord’s Wood. NPA have recognised a landscape change here and have created a site-based, local landscape character area/ receptor, the Valley Side landscape. This extends across the district boundary and is wider than the Torbay AoLC. Moreover, in landscape terms, the land to the south of Nord’s in general has a less open character, as it drops down away from the urban edge towards the wooded side of the River Dart. It is less developed, nearer the South Devon AONB boundary, and more visible from certain locations in the AONB as the steep sloping fields, some more open, others semi enclosed, face the AONB.

3.2.5 NPA consider the north–south divide of the site, relating to wider visibility, would occur nearer the boundary of field 5, which, with the 4 trees on its northern boundary and the existing nearby bungalows is more visible from the wider landscape and the AONB. NPA acknowledge this sensitivity and development on the upper northern slopes is limited. The undulating fields 1, 2 and 4 lying on lower land to the south of field 5 are less widely visible than both the upper slopes and the Valley Side landscape near Nord’s. Development is located within these middle fields.

3.2.6 The Torbay Landscape Character Assessment (Enderby 2010) (area 10 North Galmpton) and the AECOM Site Appraisal (October 2016) (Area – White Rock Extensions)<sup>1</sup> assess an area in a similar location and state that there is potential for development within the location, if the area of development were reduced. The AoLC description, quoted below, describes the ‘Capacity to accommodate change and mitigation potential’ as follows:

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<sup>1</sup> For a plan, refer to Appendix II

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*Small scale development within a more discrete area north of Galmpton could potentially be accommodated if sensitively sited, although the relationship to the Conservation Area and AONB would need to be carefully considered.*

3.2.7 The proposals are based on a careful consideration of the relationship to the Conservation Areas and AONB. As stated in the AoLC, the landscape of the site is not particularly tranquil as it is adjacent to the Brixham Road and there are no PRowWs across the site.

3.2.8 Regarding the existing urban edge, the AoLC describes it as:

*well integrated and any new development would extend the edge into this open landscape,*

3.2.9 The Jacobs report acknowledges that, although the lower land on the urban edge is well-integrated with trees, the higher northern end is devoid of trees (on both sides of the Brixham Road -field 5 and the bungalows side).

3.2.10 To the east, the site boundary runs along a road on the eastern urban edge of Goodrington, so housing and traffic are already an element in this landscape, which cannot be described as remote or tranquil. This is confirmed in the AoLC assessment.

3.2.11 We would agree with Jacobs that the Brixham Road forms a boundary to the urban edge, however it severs the townscape from the countryside. The site offers the opportunity for a softer countryside-urban edge treatment and for countryside access, where no PRowWs currently exist.

3.2.12 The AoLC states that :

*Mitigation of any proposed development changes should be achieved through a combination of careful siting with strong screen planting and the reinforcement of existing field hedgerow boundaries would be necessary.*

3.2.13 The design team have proposed screen planting but also, for integration purposes (as well as general amenity), planting throughout the site to include the developed area. Proposed woodland blocks refer to the woods in the wider landscape and most of the boundary hedgerows which mark the field pattern have been retained and reinforced. In places hedgerow field boundaries have been restored (field 5 and field 3). This is in line with the AoLC recommendations quoted above.

3.2.14 Internally to the proposed development, in addition to the reinforced hedgerow patterns, new patterns of vegetation arise from avenues, small linear park areas and street tree planting.

3.2.15 The Jacobs review links the site to the River Dart Estuary but the link to the River Dart itself is weak because of topography and vegetation, such as trees, some of which is ancient

woodland, on the northern banks of the River Dart and small woods and hedgerows in the neighbouring fields, This vegetation intervenes between the site and the River Dart itself. Views, where available are towards some locations on the more distant south or east side of the River, both within and outside the AONB.

## 4.0 LANDSCAPE COMMENT BY OTHERS

### 4.1 Teignmouth Torbay Landscape Officer

4.1.1 The Jacobs report mentions the comments from the Teignmouth Torbay Landscape officer which included agreement with :

- the NPA methodology used,
- the selected viewpoints, and the selected landscape and visual receptors,
- the conclusions that (although there would be some adverse impact) these would not be significant.

### 4.2 The South Devon AONB Unit

4.2.1 It should be noted that the AONB Unit in their response of in their 15<sup>th</sup> December 2017 has agreed on:

- the LVIA process/ methodology
- the selected viewpoints, the landscape and visual receptors.

4.2.2 However, the NPA conclusions that the impacts are not significant is disputed.

4.2.3 Jacob's text expands on this and quotes the AONB Unit reasons for objection found in their response of 10<sup>th</sup> May 2018 to the revised planning application of March 2018. For ease, Jacob's text for this section has been copied across and is shown in Italics with the NPA comments below.

*The AONB Unit consultation response considers the Site to be in "a sensitive location that makes an important and substantial contribution to the natural beauty of the South Devon AONB... contributes to the rural setting of the South Devon AONB..." and "forms a countryside backdrop to many iconic views across the Dart Estuary." It is also considered that the Site "provides both a buffer and transition zone between the urban areas of Torbay to the north and the Dart Estuary within the AONB to the south. This rural buffer helps maintain the tranquillity of the AONB..."*

*Other key areas of concern for the AONB Unit are expressed as follows:*

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*“The proposal effectively extends the developed edge of Paignton toward the AONB boundary, reducing the rural setting to the AONB in this area...” and “introduces a marked change that harms AONB special qualities”;*

#### 4.2.4 NPA comment:

- While the proposal does slightly extend the developed edge of Paignton toward the AONB boundary, we would argue that the change is not so marked that it harms the Special Qualities and Distinctive Characteristics of the AONB, as the urban form, as well as rolling farmed landscape, is very much part of the view and setting/ landscape around the AONB. This is especially the case in the views towards the site, which have Torbay and beyond in the background. That the setting varies from urban to deeply rural is acknowledged in the AONB Management plan and the following quotes taken from it:

*A variety in the setting to the AONB formed by the marine environment , Plymouth City, Market and coastal towns, rural South hams and southern Dartmoor.- ‘Special Quality Page 8*

*‘Plymouth and Torbay form important components of the South Devon AONB setting at the western and eastern ends of the area and contrast strongly with the deeply rural nature of the AONB itself.’ Distinctive Characteristic Page 79.*

#### 4.2.5 Jacob’s quote from the AONB response

*“The site is visible in more distant elevated views from parts of the AONB including regional recreation routes”;*

#### 4.2.6 NPA comment:

- The site is visible from certain recreational routes, but this is not judged to be significant because it is seen as part of Paignton/ Goodrington and because there are so many locations on the recreational routes where available panoramic and other views do not include the site.

#### 4.2.7 Jacob’s quote from the AONB response

*“The proposal would lead to a loss of open countryside, create urban sprawl and would erode rural character”;*

#### 4.2.8 NPA comment:

- ‘Urban sprawl’ has connotations of ad hoc and unplanned city expansion. The site proposals are carefully planned with local centre uses such as a pub, a school and a planned green infrastructure. Vegetation runs throughout the site as well as around the urban footprint. The countryside extends to the west. Historic field boundaries are restored around the site boundary and (for ecological reasons) in the wider landscape to

the west and traditional farming practices protected with a Farm Management Plan- FMP<sup>2</sup>. (For more information on the FMP and future Landscape Management, see footnote below).

*The LVIA findings do not appear to be consistent with the description of the North Galmpton AoLC (Torbay LCA Part 2 Assessment of Landscape Sensitivity and Capacity).*

4.2.9 NPA comment:

- Please refer to NPA comments on the AoLC above in section 3 above.

4.2.10 Jacob's quote from the AONB response

*The comments from the AONB Unit considered that the applicant's LVIA conclusions "substantially underplay the landscape scale of effects and harm to the South Devon AONB" even after allowing for the revised proposals and range of proposed mitigation measures.*

4.2.11 NPA comment:

- Please refer to NPA comments on the indirect landscape effects below in section 7 below.

## 5.0 KEY LANDSCAPE PLANNING POLICY & THE AONB MANAGEMENT PLAN

5.1.1 In this section, Jacobs focuses on the main policies of specific relevance to the AONB, rather than providing a detailed review of all relevant landscape planning policy.

5.1.2 The Brixham Neighbourhood Plan which mentions a settlement gap north of Galmpton is not currently policy so is not discussed further. Suffice it to say that the proposals leave a gap between the development and Galmpton.

5.1.3 The South Devon AONB Management Plan is considered more fully below with Jacob's text copied across in *Italics* and NPA comments below.

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<sup>2</sup> A Landscape Management Programme will be in place to manage the vegetation of the site and the adjacent 'ecological fields' to the west into posterity. The existing landscape has lost some field boundaries and could be put over to a different agricultural use such as rape seed, and further hedgerows and hedgebanks removed, but the proposals retain traditional agricultural use outside the housing footprint, as it is needed by the horseshoe bats. The Landscape Management Programme currently includes a legally agreed Farm Management Plan for the fields and vegetation outside the development, and internal to the development the LEMP will be realised through sums set aside as a section 106 agreement.

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## South Devon AONB Management Plan 2014 – 2019

5.1.4 In this section Jacobs text lists the most relevant special qualities of the South Devon AONB Management Plan

### ***Iconic wide, unspoilt and expansive panoramic views***

*The rationale provided for this special quality explains that the “open and uninterrupted panoramic views from high ground ... are resource of exceptional value” and that “vantage points with views that only contain natural features ... represent a diminishing, highly valued resource ...”. High inland locations offering wide (270 degree) panoramic views are considered to be limited in number. Gate gaps at field entrances are considered to provide important ‘windows’ on the AONB landscape.*

### ***Areas of high tranquillity and natural nightscapes***

*The rationale for the special quality explains that:*

- *“The dark sky and natural nightscape resource of the AONB is particularly highly valued...” and*
- *“Away from the tightly focussed waterside settlements with harbours, historic cores and areas of moorings, the estuaries remain tranquil, remote and wild with little sense of human activity or presence.”*

### ***A variety in the setting to the AONB***

*The rationale for the special quality notes that:*

- *“The setting to the AONB provided by surrounding areas of land, sea and urban settlement together with the inter-visibility between the AONB and these areas is of great significance...” and*
- *“The inland boundary of the AONB is mostly not marked by a distinct change in scenery and the landscape character continues seamlessly into the neighbouring countryside. The hinterland of the AONB – particularly the rural largely undeveloped countryside, farmland and woodland – is particularly significant as a setting for the AONB.”*

5.1.5 NPA comment:

- In certain locations views are expansive and panoramic. In many of these views the site is not visible.
- The rationale for the Special Qualities of the AONB state there is a variety in the setting. Panoramas from certain locations which include the site also include the urban edge. Not all the panorama contain only natural features. This is acknowledged in the quote above regarding the setting.

- 5.1.6 The land within the AONB boundary itself is protected by legislation and national and local policy, but the 'setting' is not defined in policy or designation.

## 6.0 SITE VISIT

- 6.1.1 A site visit was carried out jointly and included night time viewing from the viewpoint cluster near the top of Fire Beacon Hill. Viewpoints to be reviewed were mainly selected by Jacobs and Torbay.

## 7.0 LANDSCAPE AND VISUAL IMPACT

### 7.1 Response to General Comments

- 7.1.1 Jacob's text :

*The overall conclusions at paragraph 11.1.1 of the applicant's LVIA Addendum (which mirrors the conclusions in the October 2017 LVIA) are potentially misleading; The changes introduced in the revised application may reduce landscape and visual impacts but they would not, as suggested, "be beneficial in both landscape and visual terms, particularly in relation to the Valley Side Landscape, the local AONB as a whole within the study area, and the Waddeton CA [Conservation Area]; and their views".*

- 7.1.2 NPA comment: 'the changes' referred to the Addendum amendments to the scheme to take development out of view 16, not of the development as a whole on the landscape and visual receptors..

*11.1.1 The changes introduced to the scheme would be beneficial in both landscape and visual terms, particularly in relation to the Valley Side Landscape, the local AONB as a whole within the study area, and the Waddeton CA; and their views. NPA quote.*

- 7.1.3 Jacob's text

*The LVIA Addendum concludes that "during operation, there will be some minor landscape and minor visual effects that cannot be fully mitigated" but that "these would decrease with time and are judged to be not significant." However, this statement omits to mention any of the moderate or greater landscape or visual effects that are assessed in the applicant's LVIA, including Moderate to Minor adverse visual effects for road users on Greenway Road within the AONB (VP 19), reducing to Minor adverse to Negligible (assumed by year10). It is surprising that not even the effects on local landscape character are considered to be significant in the applicant's LVIA, given the proposals to develop up to 400 dwellings on the Site and the consequent loss of rural landscape to urban development.*

#### 7.1.4 NPA comment:

- The NPA methodology does not equate Level of Effect with Significance. How significance is judged is in the NPA methodology.
- The conclusions in the LVIA Addendum are for the amendments proposed therein. In the LVIA (October 2017), it is concluded that the following effects are not significant for the following reasons:

##### **Landscape Effects**

*12.1.1 The proposed residential development will have some minor and a few substantial local adverse effects but as a whole it is judged that these will not alter the wider landscape character.*

##### **Visual Effects**

*Residents, Road Users and Users of the PRowS as visual receptors*

*As for landscape, although there are some substantial adverse impacts on visual receptors local to the site, for receptors in the wider visual envelope, the effects although adverse are slight and do not change the nature of the view.*

- The landscape receptor has been taken as the 'Rolling Farmed Landscape' which extends into the adjoining South Hams District. A small part of that landscape receptor would be lost, resulting in a minor impact on the whole.

#### 7.1.5 Jacob's text

*The applicant's criteria for assessing potential effects are set out in the Methodology Appendix I of the LVIA (October 2017). Criteria are provided for landscape and visual sensitivity, however, no criteria are provided for the magnitude of impact (a key component of LVIA). Criteria are also provided for 'levels of effect' and paragraph 1.8.15 of the LVIA explains that following the assessment of sensitivity and magnitude of change, the 'level of effect' has been assessed. This would suggest that the 'levels of effect' criteria relate to significance, however, this is not explicit in Appendix I.*

#### 7.1.6 NPA comment:

- Some high level criteria are provided for Magnitude of Change on landscape and visual receptors in NPA Appendix I Methodology 1.8.11 to 1.8.14 inclusive. NPA address the magnitude of effect on visual receptors using verbal description and the criteria are not detailed but rather take the form of high level guidelines for topic areas to be covered in the verbal descriptions.
- The NPA assessment assesses receptors moving through the landscape along multiple views.



- Detailed criteria are given only for the Level of Effect which considers the sensitivity and magnitude of change/effect and judges a level of effect.

*1.8.11 The nature of the change, magnitude, on each receptor is assessed through an understanding of the changes to the landscape character and visual context, resulting from the proposals. The magnitude of effect may be considered to be either beneficial or adverse. These are described for each receptor.*

*1.8.12 Consideration is given to the size or scale of change arising from the development (either directly to the landscape receptor or to views and the general visual setting for visual receptors), the geographical extent over which the change is experienced as well as the duration, for example temporary or permanent, and reversibility of effects.*

*1.8.13 The size/ scale, geographical extent of influence and the duration/reversibility of effects on receptors are taken together to form a reasoned assessment of the magnitude of impact/effect on a scale of High, Medium, Low, Negligible. Higher magnitude is more likely to occur with increasing scale and duration. Lower magnitude is more likely to occur with reduced scale and/ or duration. Where intermediate ratings are given, e.g. "Medium-Low", this indicates a magnitude of change that is both less than Medium and more than Low.*

- NPA comment: levels of effect and significance: criteria are provided for level of effect in 1.9 and 1.10.
- In 1.11, for Overall Significance of Residual Effects, the judgements may be made following high level guidelines for verbal explanations/ descriptions as described in the methodology.

#### 7.1.7 Jacob's text

*Section 1.11 of the LVIA explains how the overall significance of residual effects has been assessed. A shortcoming of the explanation at paragraph 1.11.1 is that it only cites the highest levels of sensitivity and magnitude of impact as factors giving rise to significant effects. However, it is widely recognised that a lesser magnitude of change, for example, a minor magnitude on a highly sensitive receptor can also give rise to significant effects and vice versa. Section 1.11 also provides alternative criteria which it is explained "may be used for determining whether the overall effect on landscape character or views is significant or not" (applicant's emphasis). However, it is not clear from the LVIA or LVIA Addendum whether these criteria have been applied in the applicant's assessment.*

#### 7.1.8 NPA comment:

- The application of the guidelines in the NPA Methodology could have been made more explicit this does not invalidate the conclusions, which clearly indicate that, whilst the LVIA recognises that there would be adverse effects, some of which would be substantial, it is not considered that the adverse effects on landscape and visual amenity to be great enough to be judged significant overall.

#### 7.1.9 Jacob's text

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*The VVMs illustrating the proposed development at year 1 of operation, following completion of construction, show 5 years' growth for tree planting on the outer site perimeter on the basis that planting mitigation would be implemented in advance of construction. However, the assumed height of growth after 5 years of 4.5 to 5 metres is considered optimistic, depending on the size of stock and species proposed. Even if the height is reached by trees planted as advanced nursery stock or by fast growing species they would not have thickened out sufficiently to form an effective visual barrier.*

#### 7.1.10 NPA comment

- It is always difficult to predict plant growth as it depends on local annual microclimate, aspect, soil, species, and plant health on arrival on site. However this site in the mild south west climate on a generally south/ south west aspect, in good quality soil a higher growth rate would be plausible. If planted as 1.8m to 2m bare root feathered into soil of high agricultural/ horticultural value, it would seem reasonable that a growth of 0.5m per annum could be achieved giving 4.5 to 5m after 5 years. A more conservative estimate of 0.25m would give a height of 3.25m to 3.5m.
- Planting and management method would ensure they thickened out as much as in the illustrations. The initial planting would be dense, and then managed by thinning out as needed in the following years.

#### 7.1.11 Jacob's text

*The VVM 14 year 10 view appears misleading because the belt of trees shown on the Green Infrastructure Plan doesn't look wide enough to achieve the density of screen planting shown in winter. It is also questioned whether the tidiness of the allotments depicted at year 1 and 10 is realistic. Furthermore, the VVM 14 year 1 view suggests an indistinct housing architecture at odds with the character of the surrounding landscape.*

#### 7.1.12 NPA comment regarding the VVMs:

- They are to show the likely development in terms of massing and scale of the housing on the terrain, not the intended style.
- The concept was to use a housing shape to suggest massing without dictating any future style. The tidiness of the allotments would not affect the massing or scale.

## 7.2 Visual impact assessment during operation

*For comment on the Table 7.1 comparison of the Jacob's assessment with the NPA assessment of visual receptors, refer to Appendix I.*

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## 8.0 COMMENT ON JACOBS CONCLUSIONS

8.1.1 Jacobs text is shown first then NPA response/ comments, Jacob's text:

*The Site forms part of the setting of the AONB north-east of the River Dart valley, being clearly visible from a number of representative viewpoints from publicly accessible locations within the AONB, that would be experienced by a variety of users including vehicle travellers, cyclists and walkers.*

*Following an independent visual impact assessment presented in this technical report, it is considered that the landscape and visual impacts of the revised planning application proposals would be greater than that reported in the applicant's LVIA and Addendum. The proposed development would result in significant residual adverse visual effects on some representative viewpoints within the AONB, including views from PRowWs on Fire Beacon Hill and from the John Musgrave Heritage Trail, amongst others. Whilst extensive mitigation is proposed, it is not considered that this would overcome the fundamental impacts of the proposed development on the setting of the AONB.*

8.1.2 NPA comment:

- It is judged that the proposed development would result in some residual adverse visual effects on some representative viewpoints within the AONB, including views from PRowWs on near the top of Fire Beacon Hill and from the John Musgrave Heritage Trail, amongst others. However, the Magnitude of Change and Level of Effect on each receptor group as a whole, such as users of the PRowWs in the AONB south of the River Dart, and users of the PRowWs in the AONB north of the River Dart, would be reduced from many locations as the site is not clearly visible in the view; or the walker is going in the opposite direction to the site; or the focus is on a different area of the panoramic view in which the site is a comparatively small element.
- Although it is agreed that there will be an adverse impact on the Local AONB as a whole as a visual receptor, this is considered to be minor adverse. From most of the local AONB within the study area, views of the site are not available, such as from the treed areas of the northern bank of the Dart Estuary as it sharply descends away from the site and away from the AONB boundary along the Stoke Gabriel Road; from most of the River Dart itself; from most of Cornworthy and Dittisham, from various PRowWs to include from around 4km of the John Musgrave Heritage Trail.
- From the higher land within the AONB south of Dittisham, and east of Galmpton, where views are available of the proposals from certain locations, the views include townscape elements with the Torbay conurbation on the skyline in these panoramic views. These

urban elements are described in the AONB Management Plan as part of the 'Setting' and the proposals are not being introduced into a totally natural panorama.

#### 8.1.3 Jacob's text

*Significant adverse visual effects would arise from the extension of the existing urban edge of Paignton westwards into the rural landscape, which forms part of the AONB setting and helps maintain the tranquillity of the AONB. There is no current logical boundary for the westward urban extension of Paignton, which is currently well defined by the strong physical boundary provided by the Brixham Road and associated mature roadside trees. The boundary of the Site is predominantly open to the west in the direction of the AONB and this lack of natural enclosure has resulted in the need to provide extensive mitigation in the form of perimeter 'native woodland belt' planting. The need for this measure is acknowledged in the LEMP which refers, among other things, to "the advance planting needed to integrate the site into the wider landscape and visual context" However, the planting portrayed in the Green Infrastructure Plan would be inconsistent with the existing landscape pattern of irregular but angular fields, defined by hedgerows with occasional mature trees and hilltop woodland*

#### 8.1.4 NPA comment

- As stated in paragraph 3.2.8 above, the Brixham Road does form a boundary to the urban edge, it severs the townscape from the countryside. The site offers the opportunity for a softer countryside - urban edge treatment and for countryside access, where no PRoWs currently exist.
- The AoLC suggests limited development could occur west of the Brixham Road if carefully considered.
- perimeter planting is suggested in the AoLC
- Most of the internal hedgerows have been retained those around the site boundary are restored and reinforced and in the wider 'ecological' area are restored historic hedgerow field pattern, and introduced woodland blocks. The development also introduces different landscape elements, some of which may be found in nearby estates/ parkland.

#### 8.1.5 Jacob's text

*Whilst the number of affected views is relatively limited, with two main AONB clusters south of Dittisham and south of Galampton, iconic panoramic views are identified as a Special Quality of the AONB. The AONB Management Plan refers to open and uninterrupted panoramic views from high ground as a resource of exceptional value and that vantage points with views that only contain natural features represent a diminishing, highly valued resource. These views are therefore highly sensitive to the type of change proposed.*

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#### 8.1.6 NPA comment:

- There is agreement that the views are limited and that the two main clusters of views are south of Dittisham and south of Galmpton.
- However, the landscape in both these clusters/ sequences of views contains both rural/ natural and urban elements and do not contain only natural features. The susceptibility to the type of development is lowered as the building and road elements proposed are already found in the immediately adjacent landscape as this development is not proposed in the middle of the countryside.
- The panoramic views with only natural features would have to look inland towards Dartmoor and away from the site and the urban development along the coast. Other panoramic views are available from other locations which do not include the site.
- The development will not interrupt the panoramic views from the two clusters mentioned above as the views extend far over the development and over Torquay towards the East Devon Coastline or over the development and White Rock towards the countryside around Totnes.

#### 8.1.7 Jacob's text

*No independent assessment of the cumulative effects of other proposed or consented development has been undertaken for the purposes of this technical report, however, Visually Verified Montages submitted with the LVIA illustrating future completion of housing in a later phase of the White Rock development on the former Waddeton Industrial Estate north of Long Road, suggest that there would be significant cumulative effects.*

#### 8.1.8 NPA comment:

- In the CLVIA section of the LVIA, the combined level of effect on both the AONB Landscape and Visual Amenity was considered to be Moderate to Minor Adverse. NPA stated the proposals would contribute only a little to this CLVIA Level of Effect on the local AONB as they are not within the AONB and are a small addition to the existing urban edge.

8.1.9 Jacob's text states that it is not considered that the night-time visual effects of the proposed development on the AONB nightscape would be significant, given the mitigation proposed. There is agreement on this point.

#### 8.1.10 Jacob's text

*At the local level, the proposed development is inconsistent with the character of the*

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*North Galmpton AoLC, described in the Torbay Landscape Character Assessment as highly sensitive land providing a buffer to the AONB, with only limited potential to accommodate change without substantial wider impact.*

8.1.11 NPA comment:

- The acknowledged potential has been explored and the extent of the development limited.

8.1.12 Jacob's text

*At the national level, the proposed development would adversely affect the special qualities of an adjoining AONB, specifically, iconic wide panoramic views, tranquillity and the rural largely undeveloped countryside within the AONB hinterland. The underlying principle of AONB legislation and policy is that land within the AONB should be conserved and enhanced regardless of where any effect on it arises. Despite the proposed mitigation, significant adverse residual effects of the proposed development on the setting of the AONB would remain.*

8.1.13 NPA comment:

- The development does not lie within the AONB.
- It lies near the AONB within a small area of the landscape, which includes the urban edge of Torbay and this urban area is described in the AONB management plan as part of the 'setting' of the AONB. This part of the setting, the Torbay coastal area, cannot be described as 'rural, largely undeveloped countryside', which would apply more to the landscape south of the AONB on the inland boundary of the AONB. There are residual minor adverse effects to a number of the wide panoramic views.
- As recognised in the AoLC, the Site is not particularly tranquil as it is adjacent to the busy Brixham Road. Lighting can affect tranquillity but the lighting effects of the development on the AONB are not considered significant.

## 9.0 OVERALL CONCLUSION

- 9.1.1 In the LVIA (October 2017), in section 12, it is concluded that the following effects are not significant for the following reasons:

*Landscape Effects*

*The proposed residential development will have some minor and a few substantial local adverse effects but as a whole it is judged that these will not alter the wider landscape character.*

*Visual Effects*

*Residents, Road Users and Users of the PRowS as visual receptors*

*As for landscape, although there are some substantial adverse impacts on visual receptors local to the site, for receptors in the wider visual envelope, the effects although adverse are slight and do not change the nature of the view.*

*On the whole, after the establishment of the scheme green infrastructure, although there would be some residual adverse landscape and visual effects, from the proposed development, these would decrease with time and are judged to be **not significant**.*

9.1.2 The following points should be noted:

- The Teignmouth Torbay Landscape officer has agreed, not only with the NPA methodology and process, but also with the LVIA conclusions.
- The AONB Unit has agreed the LVIA methodology and process.
- In the Jacobs assessment, some of the conclusions reached agree with NPA but others are different and considered by Jacobs to be significant.
- The Jacobs assessment, while using the NPA criteria, has used a different approach to assessing the visual effects of the proposals. Jacobs have assessed the visual effects on a limited and selected number of representative viewpoints and assessed the effect only on that static view, looking towards the site. NPA have assessed the visual effects on visual receptor groups (as agreed with the Council and the AONB officers) which recognises that receptors/viewers move through a landscape and views gained are not static; the assessment is therefore a more comprehensive assessment of the effects of the proposals on the visual context as gained by viewers moving through the landscape.
- The Jacobs method of assessment of significance of separate viewpoints differs from the NPA Methodology of assessment of Overall Significance.
- It is considered that the NPA conclusions are valid. It is recognised that the development would have an adverse impact on the AONB and it is considered that the residual effect would not be significant. It is considered that this assessment does not underestimate the indirect effect of the proposals on the local AONB landscape, the Special Qualities of the AONB, or on the visual amenity of the AONB.





## APPENDICES



## APPENDIX I COMPARISON OF RVS AND VISUAL RECEPTORS

### I.1. Consideration of Table 7.1 : Jacobs Visual impact assessment during operation

I.1.1 Jacobs Visual Assessment and comparison with\ evaluation of the NPA Assessment is found in Table 7.1 of Jacobs report Torbay Landscape Advice. This is now considered.

### I.2. Terminology

I.1.2 The following abbreviations/ terms are used:

- RV (Representative View)
- VVM (Visually Verified Montage of the RV, with the proposals shown in the view for year 1 and year 10.)
- VR (Visual Receptor / viewer/ person receiving the view)
- Significant

### I.3. Comparison of Jacobs and NPA Assessments

I.1.3 What is being assessed is different in the Jacobs and the NPA LVIA and Addendum. The Jacob's assessment largely considers the receptor at a viewpoint, the NPA assessment considers the viewer/ visual receptor moving through the landscape and experiencing a variety of views. This is expressed in the sub heading below as - Jacobs assessed view RV and, VVM compared to- NPA assessed receptor VR. See below.

I.1.4 There is general agreement on the sensitivity of the visual receptor as high within the AONB.

I.1.5 Significance is assessed differently in the Jacob's report, where each RV is ascribed significant or not significant, and in the NPA LVIA and Addendum where overall significance is judged.

#### ***General Agreement for some of the Visual Amenity***

I.1.6 For the following, there is agreement/ the assessment is not greater in the LVIA on the Level of Effect. However Jacobs considers the impacts on road users in RVs 3 and 15 to be significant.

#### ***Jacobs assessed view RV 15, VVM 15- NPA assessed VR2d - Road users along Waddeton Road.***

- There is agreement on Level of Effect
- It is considered to be significant for year 1 (by Jacobs) but not by year 10

#### ***Jacobs RV 16, VVM 16 - NPA assessed VR 2b-1 Road users in the AONB north/ east of the River Dart – Stoke Gabriel Road (includes RV 17)***

- There is agreement on the Level of Effect and that Jacobs have judged this to be not significant.

Jacobs RV 3, VVM3 – NPA assessed VR2a-1 Road users in the AONB south of the River Dart

- There is agreement on the Level of Effect
- It is considered to be significant by Jacobs because, although seen as minor adverse, they judge it to be a very sensitive view.
- NPA judge that the change in the view is a small additional change to the distant urban edge seen obliquely is barely perceptible. The focus of attention it is considered, would be on the water of the Dart Estuary rather than on the urban edge of Torbay. The impact is moderated by the fact that the magnitude of change is reduced as the views available to the receptor are infrequent and are glimpsed through gateway openings. NPA consider the impact on the viewer group, VR2a-1, Road users in the AONB south of the River Dart, to have a low magnitude of change and a Minor Adverse Level of Effect.

Jacobs RV 5a – NPA VR 2a-2 Road users outside and south of the AONB.

- Views are available along the road near Downton Cross
- There is agreement on the Level of Effect and that Jacobs have judged this not significant

**Impact on Visual Amenity where the Jacob's Assessment is higher than that of NPA**

- 1.1.7 For the following users, the Jacob's assessment of Magnitude of Change and Level of Effect is higher than the NPA assessment and considered significant.

Jacobs RV 9a – NPA VR2-3 Road users - AONB north east of the River Dart- Kennels Lane

- The views are on the eastern edge of the Dart Valley.
- Using Representative Viewpoint (RV) 9a and VVM 9a, Jacobs judges the magnitude of change on the visual receptor to be medium/ moderate and the Level of Effect to be Moderate and Significant. Only the receptor at that viewpoint is assessed.
- Using the visual receptor group, NPA VR2-3, Road users AONB Kennels Lane, which experiences transitory sequential views travelling down the hill from 9a to 9b, for NPA the change is low because the view changes becoming more oblique and the site less perceptible as the viewer travels down the hill.

Jacobs RV 8c, VVM 8c – NPA VR 3b PROW users in the AONB north of the River Dart.

- The views are also on the eastern edge of the Dart Valley. Here, the visual receptor is the users of the PROWs in the AONB north of the River Dart,
- For Jacobs in VVM8c, the change is medium and the Level of Effect Moderate Adverse and Significant as the development is seen as a 'discordant element'.
- For NPA, the assessment includes PROW users in the AONB north of the River Dart. It includes the sequential views 8a to 8c, but also the rest of the John Musgrave Heritage

Trail from Greenway, the permissive footpaths around Greenway, where transitory glimpsed views are available with Nords and other intervening vegetation allowing only a partial view of the site. The magnitude of change on the viewers walking the PROWs is medium reducing to low as the site vegetation establishes integrating the new urban edge. The development is seen as an addition to an element already in the landscape and the view; a scalloped edge of a new settlement between the scallop formed by existing settlement at Galmpton and the development at White Rock. In elevated locations, the development cannot be fully mitigated and the impact on the receptor is judged to be Moderate to Minor Adverse.

Jacobs RV 6a-6b and & 7b assessed separately – NPA VR3a - PROW users in the AONB south of the River Dart

- The views are near the top of Fire Beacon Hill is in a more elevated and rural location than for the 'Galmpton cluster' RVs 8 and 9 mentioned above. The site is seen less obliquely but also seen at about twice the distance so the site is at a smaller scale in these more distant views.
- For Jacobs in RV 6a to 6b, the level of effect was assessed as Moderate Adverse and Significant.
- For Jacobs in RVs 7a and 7b, the Level of Effect was also considered to be Moderate Adverse and Significant.
- For NPA the visual receptor group VR3a - PROW users in the AONB south of the River Dart was assessed. RVs included 6a to 6b, 7, 7b to 7e, descending from the more elevated 7a and 7b to 7e where the site is barely perceptible. In addition, although the site is visible in the views near the top of Fire Beacon Hill, it is not introducing a new element into the view and through time will become integrated as the existing Goodrington urban edge. The Level of Effect was Minor Adverse.
- Note: About 3 or 4km of the JMH Trail from Cornworthy to Dittisham (also known by its previous name as Dart Valley Trail) is mostly outside the ZTV as are other PROWs.

Jacobs RV 14 – NPA VR2c- Road users outside the AONB – Brixham Road to include RVs 12,13,14, 18

Jacobs RV 14 – NPA 1a – Residents on the upper and lower edge of Brixham Road. to include RVs 12,13,14

- The Jacobs assessment for residents, and presumably road users, for RV 14 gives a High Magnitude of Change and a Substantial Level of Effect, for the residents as a whole on the urban edge of Goodrington. This includes the views out to the hills to the south and south west some of which are AONB. To the south west the higher land is outside the AONB.

- The NPA assessment considers the impact to be Substantial to Moderate Adverse to Minor Adverse for residents and road users further south. Views toward the distant hills will still be available after the development has occurred. The views are not available further down the road opposite the development due to road side trees.

## APPENDIX II SUPPORTING EVIDENCE THAT THE SITE HAS DEVELOPMENT POTENTIAL IN LANDSCAPE AND VISUAL TERMS

The following supports the Torbay Landscape Character Assessment judging that the site has development potential in landscape and visual terms

The documents leading to the Brixham Peninsula Neighbourhood Plan (BPNP) included the BPNP AECOM (Housing) Site Appraisal Report (October 2016) indicated that the White Rock Extensions Area (a much larger area than the site but including the site) had potential if the area were reduced.



Figure C – Brixham Neighbourhood Plan (BPNP) AECOM October 2016 White Rock Extensions Plan

Need to supply reference link to Torbay Landscape Character Assessment in the text