

The background features several large, abstract geometric shapes in two shades of teal. A large, light teal shape on the left and bottom-left resembles a stylized 'C' or a partial circle. A darker teal shape on the right and bottom-right is a thick, curved band. Two solid teal circles are positioned at the top and bottom of the page. The text is located in the bottom right corner.

DAVID WILSON PARTNERSHIP

Connecting people and spaces

Landscape and Visual Review

Inglewood, Torbay

1360

July 2018

Brief and Terms of Reference

- 1 David Wilson Partnership have been commissioned by Deeley Freed to carry out an independent, impartial review of the outstanding issues of concern in relation to the landscape and visual impacts of the Inglewood development. Thorough and detailed assessments have already been carried out by the applicant's and the LPA's own landscape specialists. The purpose of the report is not to revisit this work, but rather to distil the issues of most importance to decision makers and to identify the factors that could be taken into account in making considered judgements where there are areas of disagreement.
- 2 This review has been carried out by Peter Leaver, a chartered member of the Landscape Institute and director of David Wilson Partnership. Peter has experience of Landscape and Visual Impact Assessment for development in protected landscapes. He has acted at appeal for local authorities, developers and rule 6 parties where issues of landscape and visual impact and impacts on designated landscapes have been of high importance. He is retained by North Devon AONB to advise on landscape planning matters.

Issues of importance to decision makers

- 3 One of the purposes of the Environmental Statement (ES) is to crystallise the issues that are likely to be of importance to decision makers, summarised from assessments prepared as part of the planning application process (including the landscape and visual impact assessment). The preface to the 3rd edition of Guidelines for Landscape and Visual Impact Assessment (GLVIA3) identifies the role of EIA in helping to focus on likely significant effects and, as a result,

to focus on issues that are most likely to be of importance to decision makers¹.

- 4 From the ES, subsequent comments on the application, my discussions with key stakeholders and consideration by planning officers, it is clear that the issues of importance in relation to landscape and visual effects are:
- **The effect of proposals on the setting of the AONB – in relation to landscape character and the special qualities of the AONB and visitors to the designated landscape;**
 - **Changes in land management affecting the setting of the AONB – Ecological enhancement measures could lead to changes in the managed, pastoral character of the fields around the development.**
 - **The effect on the edge of Paignton - Since the 1960's² the town has grown so that it no longer hugs the coast. It has spread inland to sit above the Dart Estuary and now has an influence on the landscape that is less connected to the coast.**
- 5 Concern has also been raised about the cumulative effect of the proposed development in conjunction with other recent developments on the setting of the AONB and the definition of the edge of Paignton.

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¹ GLVIA3 px

² See DWP Fig 1

Landscape and Visual Receptors

- 6 The submitted LVIA and the independent assessment commissioned by Torbay both considered the impact of development on the AONB's setting, land management and the local landscape of the edge of Paignton. In doing so, they considered a number of landscape and visual receptors of effects - those which are most critical to the assessment of significance are set out below:

The Setting of the AONB

- 7 It has so far been accepted by all stakeholders that the site is within the setting of the AONB. The AONBs Design Guide is helpful in defining setting:

“The intent of the section 85 duty or NPPF paragraph 115 (NB now para 172 – NPPF July 2018) is not to protect land ‘in the setting’ per se, but to protect land in the AONB from effects arising from changes or activities occurring in the ‘setting’. Therefore, the ‘setting’ does require different treatment through the planning system than other areas of undesignated countryside or landscape, but only in so far as it concerns its interrelationship with the AONB. Therefore the effect of development proposals outside the AONB on views within and views out of an AONB are of particular relevance. However, it is important to remember that adverse impacts might not solely be visual, a development which is noisy, or uses artificial lighting may well impact adversely on tranquillity and sense of wildness even if its not visible from the AONB.”³

- 8 Reference is made in some consultation documents to the site being part of a buffer or transition zone between the AONB and the urban area⁴. As far as can be ascertained, there is no policy basis for such a buffer to a landscape designation. The argument is that if there is an area where development is to be restricted, then it ought to be designated. Setting is related to the particular qualities of a protected area or building – restrictions on development within a setting recognise that only some types of development can have influence on

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³ South Devon Design Guide, p39

⁴ Torbay Landscape Character Assessment – AoLC10, AONB comment 10/5/18, Jacobs report pp 14,15,20

some qualities of a protected building or landscape. Assessment of impact on setting in relation to characteristics and special qualities is a safer approach than that of relying on the notion of buffer or transitional land. This point has been clarified with both the AONB team and Jacobs.⁵

Special Qualities of the AONB

9 The AONB Management Plan lists ten special qualities of the designated area, defined as “*the unique “natural beauty” for which the South Devon AONB is designated as a nationally important protected landscape*”⁶. Those that are susceptible to changes in the setting of the AONB are:

- Iconic wide, unspoilt and expansive panoramic views
- Areas of high tranquillity, natural nightscapes, distinctive natural soundscapes and visible movement
- A variety in the setting to the AONB formed by the marine environment, Plymouth City, market and coastal towns, rural South Hams and the southern Dartmoor

10 The impact of development at Inglewood on these special qualities would be as a result of the visual component of landscape character. Locations in the AONB from where the site can be seen have been identified and agreed. These are views from high ground to the south of the site (VPs 8, 9); views from the Dart Valley (VPs 3, 6, 7) and views from the Waddeton area, on the north of the Dart (VPs 16,17).

Landscape character of the AONB

11 The submitted LVIA refers in some detail to the characteristics and qualities of the various landscape character areas and types in the study area, they are not repeated here. It is worth noting that effects on the distinctive characteristics of the AONB landscape would be indirect, as the site is outside the designated area.

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⁵ Conversation PL/R English (AONB) 23/7/18. Jacobs response to PL questions – see App1

⁶ AONB Management Plan p8

12 Thus, in the three main areas of the AONB susceptible to change, those characteristics that could be affected are:

- The north bank of the Dart, characterised by dramatic views over the Dart and surrounding countryside and perceptions of remoteness and rural tranquillity.
- High ground south of Galmpton, containing extensive views across Torbay and perceptions of tranquillity and remoteness. Views out to sea and along the coast would not be affected by development inland.
- The southern upper slopes of the Dart Valley above Dittisham, where qualities and characteristics include perceptions of remoteness and peacefulness, panoramic and far reaching views towards Dartmoor and the coast. Dark night skies.

Visual receptors in AONB

13 Two qualified landscape architects have made assessments of visual impact in relation to the Inglewood development⁷. Both have reached different conclusions on the effect of the development on visual receptors. In order to help decision makers in reviewing their differing assessments, it may be helpful to go back to best practice guidance when considering the different assessments⁸.

14 There is a visual component to landscape impact assessment – the way the landscape is perceived is primarily through visual means and some judgements about landscape quality are expressed in visual terms (dark night skies, panoramic views etc). However, it should be remembered that the assessment of effects on the landscape as a resource in it's own right is distinct from the assessment of effects on the visual amenity experienced by people.⁹

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⁷ Submitted LVIA and addendum. Independent assessment by Jacobs.

⁸ GLVIA3 ch 6

⁹ GLVIA3 paras 2.20 – 2.22. “Assessment of landscape effects: assessing effects on landscape as a resource in its own right; Assessment of visual effects: assessing effects on specific views and on the general visual amenity experienced by people”

- 15 Thus when considering, for example, views from Firebeacon Hill (VPs 6, 7) decision makers will need to think about the impact of the proposals on the special qualities of the AONB (tranquillity, unspoilt panoramic views etc) as part of their judgement of landscape effect. This is a separate exercise from consideration of effects on people looking at the view, where factors such as the overall pleasantness of the view and changes to its composition and character are taken into account. So the question asked is not “*how much would the development harm the character and quality of the landscape?*” but rather “*How much would it detract from my enjoyment of a visit to the countryside?*”.
- 16 This distinction is important because the places from which the site is visible are not, in this case, specific, identified public viewpoints (such as Start Point or Blackdown Rings in South Devon). Instead, they are points on a walk or drive through the landscape. People’s experience of the landscape will include views from where the development would not be visible as well as sustained stretches of footpath from where the change would be apparent.
- 17 The submitted and Independent assessments also take a slightly different approach to judging magnitude of change and have come to different conclusions. It is perhaps helpful for decision makers to consider the criteria set out in GLVIA3 for assessment of visual magnitude of change¹⁰. These concern judgements made on the geographical extent of change, it’s duration and reversibility as well as size or scale – defined as:

“The scale of the change in the view with respect to the loss or addition of features in the view and changes in its composition, including the proportion of the view occupied by the proposed development

The degree of contrast or integration of any new features or changes in the landscape with the existing or remaining

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¹⁰ GLVIA3 paras 6.39 – 6.41

landscape elements and characteristics in terms of form, scale and mass, line height, colour and texture.

The nature of the view of the proposed development, in terms of the relative amount of time over which it will be experienced and whether views will be full, partial or glimpses.”

These are the criteria that have been referred to in the “Effects of Development” section of this report below:

- 18 Visual receptors in the AONB have been identified as walkers, particularly using the John Musgrave Heritage Trail near Galmpton and the footpath network above Dittisham, road users on the local network of lanes and local residents in Waddeton.

The Developed Edge of Torbay

- 19 Separately from the issue of impacts on the AONB setting, there is a question about how the edge of Torbay is defined and whether it sits comfortably in the landscape. The Torbay Landscape Assessment (TLA) considers that the existing urban edge of Torbay is well integrated into the landscape and that further development would extend into open countryside. It concludes that there is only limited potential for landscape change and suggests that development could impinge on the quality of views from the AONB¹¹.
- 20 The Draft Brixham Neighbourhood Plan (BNP) identifies the site as a Settlement Gap.¹² The purpose of the gap is to provide an open characteristic to the area, drawing in distant views; separation to prevent coalescence (in this case between Galmpton and Paignton); and corridors to physically connect and interact with the wider countryside.
- 21 The Inglewood site has been identified as a settlement gap in the draft BNP, but land closer to the northern edge of Galmpton and between

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¹¹ Torbay Landscape Character Assessment pp34-35. The TLA was undertaken at a time when Torbay’s Local Plan contained an Areas of Great Landscape Value policy. This is no longer the case.

¹² Draft Brixham Neighbourhood Plan (BNP) policy E3.

Galmpton and Broadsands is not included in the policy¹³. A Brixham Landscape Strategy was prepared as part of the evidence base for the BNP. It considers in detail areas of settlement gap around the edge of Brixham, but its study area stops short of Inglewood. Without further evidence, it is difficult to see how inclusion of the site in the Settlement Gap policy can be justified.

- 22 The final purpose of the settlement gap policy is to protect corridors that physically connect and interact with the wider countryside. Brixham Rd currently defines the edge of the urban area, but it is a harsh boundary that does not assimilate well into the landscape. It does not form part of the historic boundary of Brixham or Paignton, but is rather the current edge of an area that has experienced growth since the 1960's (Figure 1). The road is busy, without a continuous footpath on both sides from the White Rock junction southwards. There are few safe pedestrian crossing places – the road forms a barrier to movement between this part of Torbay and the surrounding countryside. Torbay's Local Plan, evidenced by the Green Infrastructure Strategy, recognises that the role of the road as a barrier and assesses the housing on Hunters Tor Drive as being an Accessible Greenspace Focus Area, "where there is a clear need to improve accessible greenspace"¹⁴. The GIS and Local Plan Policy SS9 propose a country park on land to the west of Brixham Road in the vicinity of the development site.

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¹³ BNP Policy Maps

¹⁴ Torbay Green Infrastructure Delivery Plan, Map 2 and p10

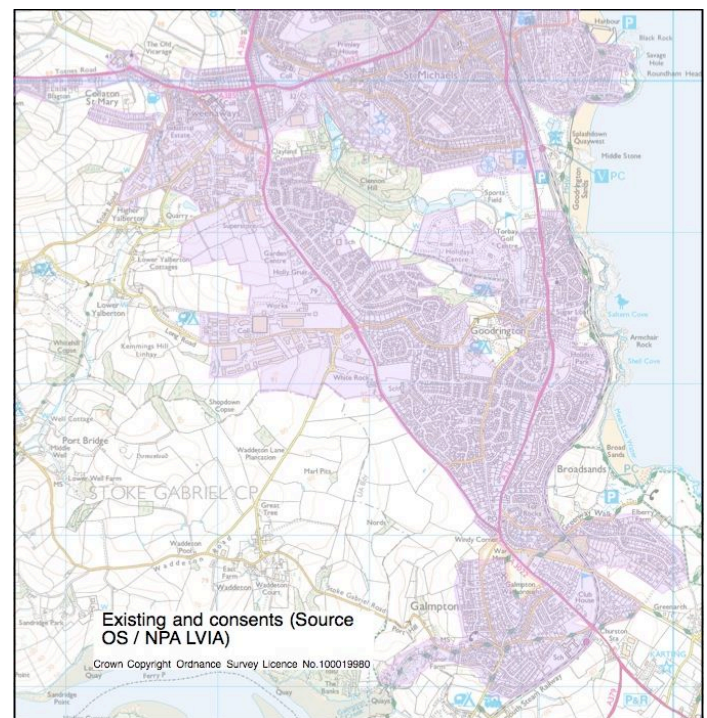
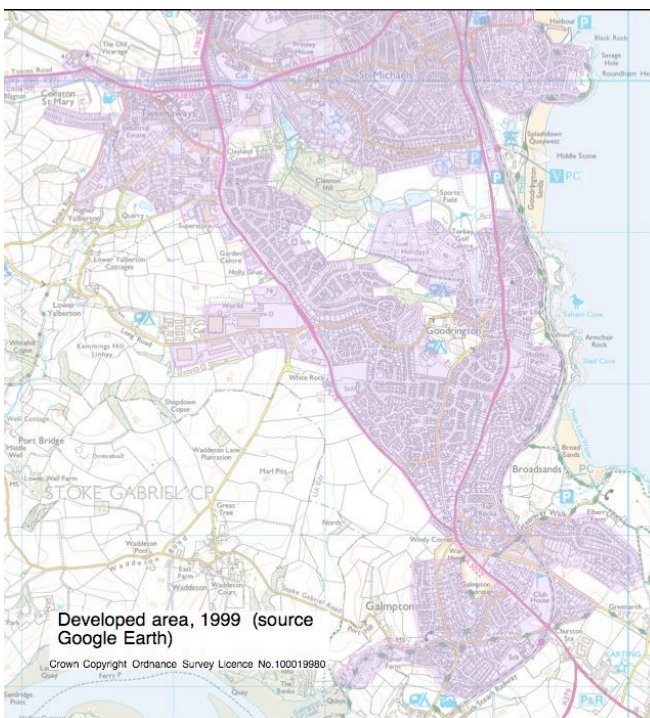
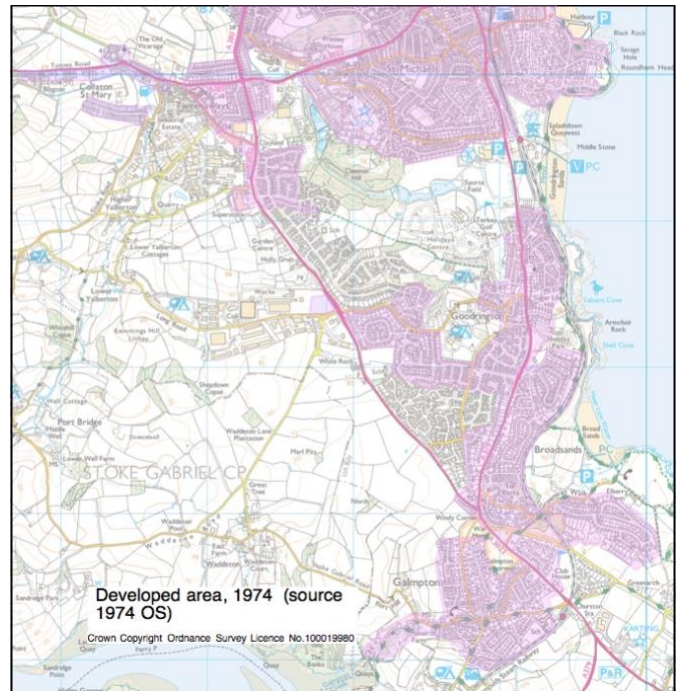
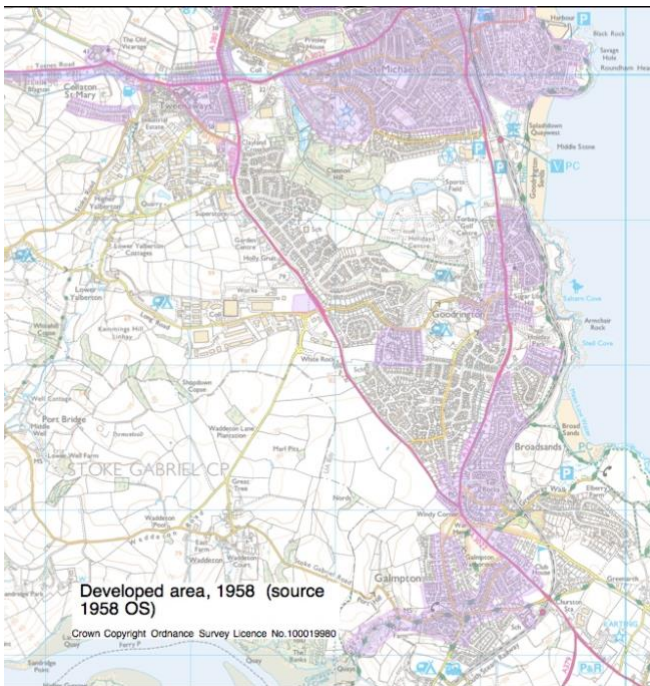


Figure 1 – Growth of Torbay inland, 1958 to current

Effects of Development

Setting of the AONB

- 23 The AONB response to the application points out that there are no appreciable differences in the quality of the landscape either side of the AONB boundary in the area of the Dart Estuary. It goes on to express concern that erosion of a transition zone between the urban area and the AONB will damage the special qualities of the AONB. As noted above, it is safer to consider the effect of development on setting, in relation to special qualities, than to rely on a buffer zone to the AONB.

Special Quality: “Iconic wide, unspoilt and expansive panoramic views”

- 24 The AONB Management Plan discusses the rationale behind each of the special qualities. The rationale describes views that offer a sense of remoteness, wildness and scale. Views towards the site from Firebeacon Hill and the John Musgrave Heritage Trail convey a great sense of the scale of the landscape that would be unaffected by the proposed development. Perceptions of remoteness and wildness are greatly diminished by the presence of extensive built development in views towards Torbay.
- 25 The rationale goes on to describe vantage points that “only contain natural features”. Views towards the site from the AONB contain a mix of urban and rural landscapes. Development within and outside the AONB boundary is a prominent element in these views. From Firebeacon Hill (VP 6,7), the site is seen within the context of Stoke Gabriel and Galmpton in the near distance, with the site, White Rock ph 1 and the edge of Paignton in the middle distance and Torquay filling the horizon. In conditions of moderate or poor visibility, the built up area of Torquay may not be visible – but at no time would there be a view of the site that did not contain extensive areas of existing development.
- 26 The situation is similar from stretches of the John Musgrave Trail (VP8) and Kennel Lane (VP9). The built up area of Galmpton is a prominent foreground element, separated from the site by open fields. New development at White Rock is visible behind the site and the urban area

east of Brixham Rd sits visually adjacent to Inglewood. These views are neither remote nor wild – Paignton and Torquay are prominent outside the AONB, Stoke Gabriel and Galmpton are noticeable within the area.

- 27 The Inglewood development would not greatly affect the balance of developed and undeveloped land in the panoramic views in which it features. These views are already highly compromised in terms of their remoteness and wildness. The development would have no effect on vantage points that contain only natural features.**

Special Quality: “Areas of high tranquillity, natural nightscapes, distinctive natural soundscapes and visible movement”

- 28 The AONB Management Plan describes landscape qualities that evoke a sense of tranquillity to include timelessness, wilderness, remoteness and peacefulness. High value is placed on dark night skies.
- 29 Tranquillity is already heavily compromised in the setting of the AONB in some of the locations from where the site can be perceived. At the time of my site visits, traffic noise was evident from Firebeacon Hill and from the JM Heritage trail. From both locations, the site is seen within the context of a busy, urban landscape.
- 30 Topography and tree cover protects the tranquillity of the area around Waddeton. Earlier versions of the development plan would have impinged on the village, but the later iterations appear not to be visible from the village and surrounding area (VP 16). As a result, the impacts of the proposal on tranquillity in this area are likely to be slight.
- 31 There is already a high degree of light pollution from Torbay. The application documents contain an assessment of additional lighting and it is agreed by both the submitted LVIA and the later independent assessment that the additional effects would not be a cause for concern.

- 32 The proposal would be a noticeable addition to the developed area but would not fundamentally alter the qualities of tranquillity and remoteness in the setting of this part of the AONB.**

Special Quality: “A variety in the setting to the AONB...”

- 33 The contrast between the urban areas of Torbay and the rural AONB is described as being of “great significance”¹⁵. Torbay forms an important component of the setting of the AONB and contrasts with the rural nature of the AONB itself. Viewpoints 6, 7, 8, 9 illustrate the nature of this contrast – the busy urban development of Torbay intensifies appreciation of the open, rural character of the AONB and it’s inland setting.
- 34 The proposed development would not nestle within the landscape as do the closer villages¹⁶ – Stoke Gabriel is constrained by its setting and Galmpton has grown outwards from an historic core in the valley bottom. Inglewood would be seen as an extension to the urban area of Torbay, much in the manner of White Rock, rather than a distinct village settlement in the mould of Stoke Gabriel or Galmpton. The development would be separated from Galmpton by at least 2 fields – a wide, rural space. There is also substantial separation between the developed part of the site and the edge of the AONB – 4 field widths. The development is unlikely to be read as impinging on the secluded river valley or the tidal Ria landscape. Figures 2 and 3 are marked up copies of photomontages submitted with the LVIA. They indicate the location of the AONB boundary in relation to the proposed development, illustrating that the proposal does not impinge visually into the designated area.
- 35 Development at Inglewood will alter the balance of rural and urban landscape, but not to a significant degree and not to the extent that the baseline character of the setting will be fundamentally changed.**

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¹⁵ AONB Management Plan p79

¹⁶ Conversation – PL/RE (AONB) 23/7/18

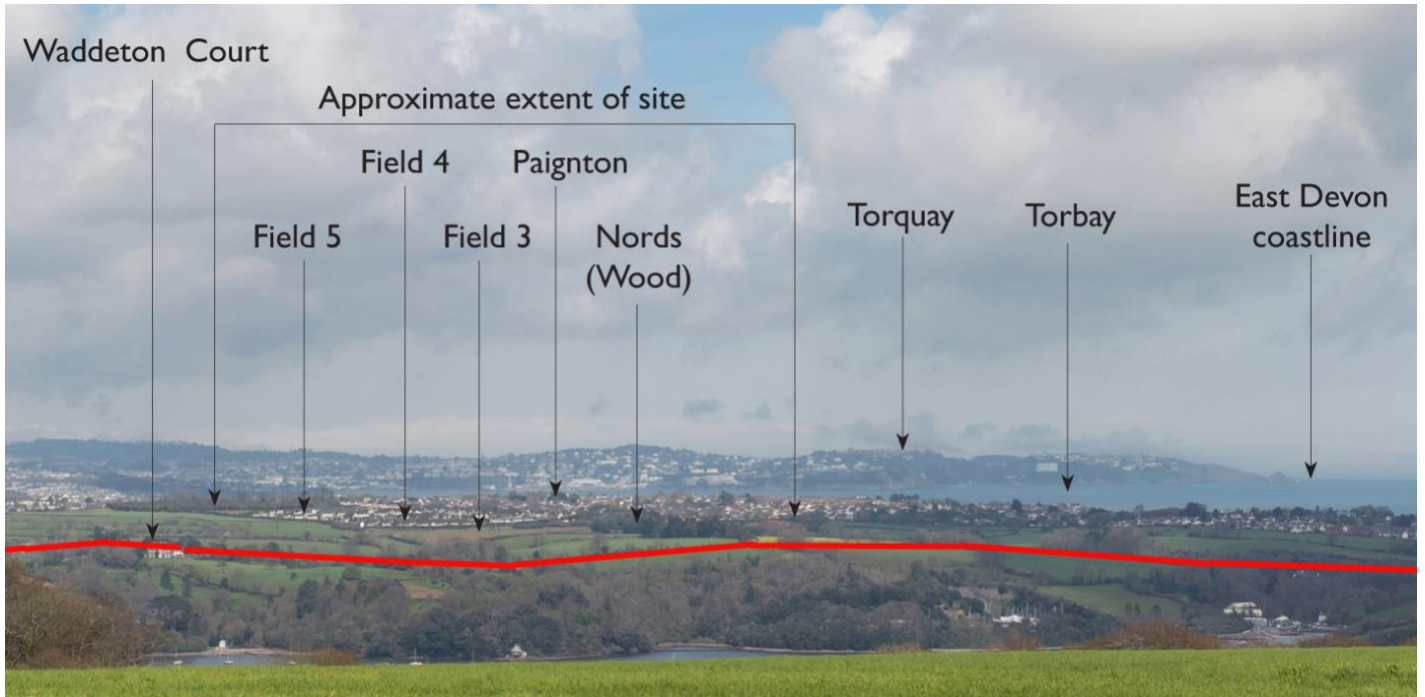


Figure 2 – AONB Boundary marked on VP6

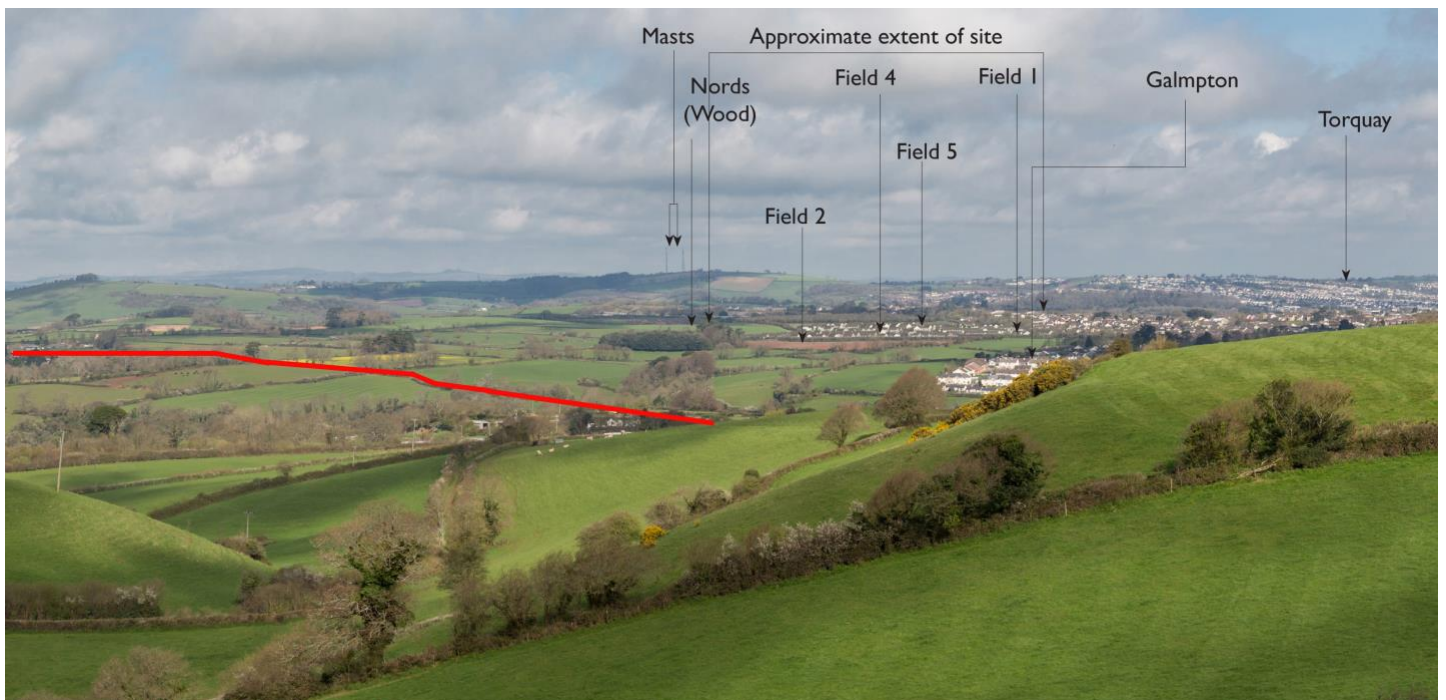


Figure 3 – AONB Boundary marked on VP8

Visual Effects on People Visiting the AONB

- 36 The submitted LVIA and the independent assessment commissioned by Torbay appear to come to different conclusions on the magnitude of change and significance of visual effects on receptors in the AONB. There is some validity to both assessments, but their different conclusions make it difficult for decision makers to know how much weight to apply to harm from visual impacts.
- 37 This report does not aim to add to the confusion by presenting a third set of judgements. Instead, decision makers are invited to consider the effect of changes to views in relation to the criteria set out in recognised best practice guidance (GLVIA3 para 17 above).

Views from the south of Galmpton (VPs 8,9):

- 38 In locations from where the site is visible, it is seen within the context of the existing urban area of Torbay. As the viewers gaze moves westwards, development becomes more sporadic and the view becomes pastoral in nature. New development would be a noticeable addition to the view, it would be visually connected to Torbay rather than being identified as a discrete settlement and would be separated from near views of Galmpton by intervening fields.

Views from the west valley sides of the Dart (VPs 6,7)

- 39 As with VPs 8 and 9, the site is seen within the context of built up parts of Torbay, with urban development giving way to open countryside as the viewers gaze moves westwards. In hazy or misty conditions, views of Torquay on the horizon would be lost, the developed edge of Paignton would become the visible horizon.

Overall visual effects

From both of these key viewpoints areas, There would be little change to the overall composition of views (They would still consist of undulating landscape, settlement, open countryside and distant hills in roughly the same proportions and the same locations). The type and layout of development proposed would be seen within the context of pot war housing at Galmpton, Brixham Road housing and new

development at White Rock. Even in hazy conditions, when Torquay recedes into the mist, the horizon would still be dominated by existing built development (Fig 4, taken from VP8). Changes in land management practices would add a new element to the view, but this need not necessarily be harmful, as the view already contains a variety of textures, colours and forms as a result of topography, land use and farming practice.



Figure 4 Existing view from VP8 (July 2018)

- 40 There are no specific, identified viewpoints in the study area. People will take in the views as part of a walk through the landscape. On my site visit, I could find no locations where there was a view of the site without other, existing development already present. There are opportunities in the local area for views that do not include the site and some views that are over unspoilt, undeveloped countryside (see fig 5 from the corner of Kennel Lane close to VP8 and fig 6 looking northwards from VP7). Views of the development site would be available for one or two sustained periods on walks in the AONB, but views over open countryside not affected by development are more prevalent.

Summary: Effects on the setting of the AONB

41 In all, although the development will be a noticeable addition to the setting of the AONB. For the reasons noted, it is not predicted that it will cause significant harm to the special qualities of the AONB. The development would be a noticeable addition to views, but it would not alter the character of views and would be unlikely to greatly harm the visual amenity of people visiting the AONB.



Fig 5 View from corner of Kennel Lane – site not visible



Fig 6 View north from lane at VP7

Changes in Land Management

42 Concerns have been raised that land management proposals contained in the LEMP and Farm Management Plan (FMP) would result in a change to the character of the landscape around the development site. The measures are proposed as biodiversity enhancements and cover an area larger than the red line boundary of the planning application. The management changes proposed in the first iteration of the FMP may have led to a situation where hedges become straggly and grown out (as opposed to the neat and well managed appearance characteristic of the local area); field margins could appear weedy and fields undergo a change in their species composition, colour and

texture as a result of changes in management practices¹⁷. Changes have been made to the LEMP and FMP in the light of these comments and as a result the scale of change is somewhat reduced.¹⁸

- 43 Land management practices do not require planning consent (it is understood that farm tenants have already started parts of the new management regime). A more wildlife friendly approach to farming would seem to follow the spirit of Local Plan policies SS8 and SS9. Development of the country park proposed to the north of the site (policy SS9) would in any case lead to changes in the appearance of the landscape as a result of changed management objectives and increased public access.
- 44 The appearance of the south Devon countryside is not frozen in time but is ever evolving due to developing farm management practices and changes in the physical and political climate. The Government's own Climate Change Risk Assessment¹⁹ recognises the need for changes in agricultural land management as part of a strategic approach to managing flood risk, protecting soils and supporting biodiversity. It is likely that the type of extensive land management proposed at Inglewood will become more common in the south Devon countryside in coming years.

Cumulative Effects: Redefining the Urban Edge of Torbay

- 45 The proposal will, in conjunction with White Rock, redefine the edge of Torbay on its south west boundary. Between the 1960's and 2000's, Brixham Rd provided a strong, linear edge to development which has

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¹⁷ Consultation response, Paul Bryan, Teignbridge Landscape Officer

¹⁸ Email from NPA, APP 1

¹⁹ The National Adaptation Programme and the Third Strategy for Climate Adaptation Reporting **Making the country resilient to a changing climate DEFRA July 2018:** *Agriculture has a vital role to play in managing the UK's land and landscape, with more than 70% of England being managed as farmland. Farmland can make an important contribution to adaptation, including through support for biodiversity, mitigation of flood risk, and improved soil management. Changes may be needed to the crops grown, taking advantage of resource efficiencies, ensuring that the knowledge gained from R&D is transferred to changes on the ground, and taking up new technologies. Sustainable soil management will be critical to ensuring farm systems are resilient.* (p27)

been gradually eroded by developments south of Collaton St Mary and at White Rock. When these developments are considered cumulatively with existing housing at Galmpton (where it spills over the top of the valley sides) it is clear that there has been quite profound landscape change over the past 30-40 years. Development has extended beyond a well defined edge of the town, moving westwards, over the seaward facing slopes to face inland. A hard urban edge has been replaced by a more open boundary where fingers of greenspace interlace with the urban extension. The proposed development at Inglewood, along with changes to land management practices, would add to the pattern of change.

- 46 There is an opportunity to redefine the urban edge of Torbay, from one that is determined by road networks to one that is based on the principles of green infrastructure planning. A new urban edge could be responsive to landscape character, biodiversity enhancement and public access. Development at Inglewood is compatible with such an approach, but detailed layout and design might be better considered as part of a larger, strategic context.
- 47 For the reasons discussed in this report, further change as a result of Inglewood need not cause further harm the special qualities of the AONB and may enhance countryside access and biodiversity. However, the individual development proposed may be better considered within the context of a wider strategic review.**

Conclusions

The Setting of the AONB

- 48 The development will be a noticeable addition to the setting of the AONB. However, it is unlikely to cause significant harm to landscape character and the special qualities of the designated area.
- 49 The Inglewood development would not greatly affect the balance of developed and undeveloped land in the panoramic views in which it features. These views are already highly compromised in terms of their remoteness and wildness. The development would have no effect on vantage points that contain only natural features.

- 50 The proposal would be a noticeable addition to the developed area but would not fundamentally alter the qualities of tranquillity and remoteness in the setting of this part of the AONB.
- 51 Development at Inglewood will alter the balance of rural and urban landscape, but not to a significant degree and not to the extent that the baseline character of the setting will be fundamentally changed.
- 52 The development would be a noticeable addition to views, but it would not alter the character of views and would be unlikely to greatly harm the visual amenity of people visiting the AONB.

Changes in land management affecting the setting of the AONB

- 53 The management changes proposed in the first iteration of the FMP may have led to a situation where hedges become straggly and grown out (as opposed to the neat and well managed appearance characteristic of the local area); field margins could appear weedy and fields undergo a change in their species composition, colour and texture as a result of changes in management practices. Changes have been made to the LEMP and FMP in the light of these comments and as a result the scale of change is somewhat reduced.

Cumulative Effects: Redefining the Urban Edge of Torbay

- 54 Since the 1960's the town has grown so that it no longer hugs the coast. It has spread inland to sit above the Dart Estuary and now has an influence on the landscape that is less connected to the coast.
- 55 There is an opportunity to redefine the urban edge of Torbay, from one that is determined by road networks to one that is based on the principles of green infrastructure planning. A new urban edge could be responsive to landscape character, biodiversity enhancement and public access. Development at Inglewood is compatible with such an approach, but detailed layout and design might be better considered as part of a larger, strategic context.
- 56 For the reasons discussed in this report, further change as a result of Inglewood need not cause further harm the special qualities of the AONB and may enhance countryside access and biodiversity.

However, the individual development proposed may be better considered within the context of a wider strategic review.

Appendix 1
Correspondence with NPA and Jacobs

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|------------------|---|---------------------|---|
| Subject | Outline Planning Application P/2017/1133. Landscape and Visual Comments: Response to Applicant | Project Name | Proposed Residential Development at Inglewood, Paignton |
| Attention | David Pickhaver, Torbay Council | Project No. | B23050AC |
| From | Steve Knott | | |
| Date | 27 July 2018 | | |
| Copies to | N/A | | |

1. Introduction

This technical memorandum provides a brief response to the questions/ request for further information from Peter Leaver (David Wilson Partnership) in an email dated 12th July 2018 regarding the landscape and visual comments provided by Jacobs in their report to Torbay Council dated 7th June 2018 'Proposed Residential Development at Inglewood, Outline Planning Application P/2017/1133: Landscape and Visual Comments'.

It is understood that Peter Leaver is acting for the developer, Abacus Projects Ltd and has been commissioned to review the landscape issues set out in both the Jacobs and Nicholas Pearson Associates (NPA) assessments and the comments received so that his client can understand the differences between the various conclusions reached, in particular in relation to the impact of the proposal on the Area of Outstanding Natural Beauty (AONB).

Peter Leaver advises that his client is keen that his report is independent and impartial and has been asked not to favour one side or the other. However, it is difficult to see how his report can be independent and impartial whilst acting for the applicant.

The questions/ request for further information from Peter Leaver are as follows:

- Has the comparative assessment in the Jacobs report been based on the NPA methodology?
- Do Jacobs consider the grouping of landscape and visual receptors to be an acceptable approach?
- Are there any AONB views considered to be recognised or important viewpoints?
- What amount of separation is needed between the AONB boundary and the edge of the built-up area of Paignton in order to protect the special qualities of the AONB?

The following documents were consulted in composing this response:

- Landscape and Visual Impact Assessment (LVIA) (Nicholas Pearson Associates), October 2017.
- LVIA Addendum (Nicholas Pearson Associates), March 2018.
- Proposed Residential Development at Inglewood, Outline Planning Application P/2017/1133: Landscape and Visual Comments (Jacobs), 7th June 2018.

Sladnor Park Retirement Village,
Maidencombe, Torquay
Collaton St Mary Proposed Residential
Development: Landscape and Visual
Comments

- Torbay Local Plan (2012 to 2030).
- Planning for the South Devon AONB: Planning Guidance (Version 1).

The questions raised by Peter Leaver are addressed individually in each of the following sections of this technical memorandum.

2. Basis of Comparative Assessment

Peter Leaver: *“It is recognised that there is a difference of approach in assessing the overall level of effect in relation to visual impacts between the Jacobs and NPA methodology. Both approaches are acceptable, but I wondered if Steve had made a comparative assessment based on the NPA methodology - i.e. considering the effect on walkers across the length of a footpath or route? (I’ve asked the same question of NPA).”*

Response:

As explained in the Jacobs report (7th June 2018) in the notes above Table 7.1:

“As no criteria have been provided in the applicant’s LVIA for assessing the magnitude of impact, the criteria from ‘Interim Advice Note 135/ 10 Landscape and Visual Effects Assessment’ (Highways Agency, November 2010) (appended to this technical report at Appendix A for information) have been used for the Jacobs assessment of the magnitude of effects. Whilst these criteria are specifically for highways schemes, they have been selected for the purpose of this exercise, as they are widely used and transferable to other types of development. The Jacobs assessment is otherwise based on the criteria provided in the applicant’s LVIA (October 2017) at Appendix I Methodology. A level of effect (‘significance level’ after taking into consideration the sensitivity of the receptor and the magnitude of effect) of moderate and above [is] considered to be significant.”

Table 7.1 of the Jacobs report (7th June 2018) notes in each header column the LVIA criteria used for the comparative assessment. The applicant’s (NPA) criteria has been used to assess:

- Sensitivity;
- Level of effect; and
- Significance.

As also explained in the notes above Table 7.1:

“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 in the third column below.”

With regard to the effect on walkers across the length of a footpath or route, it is noted that the NPA methodology set out in the LVIA (October 2017) in Appendix I Methodology, paragraph 1.6.1 explains the basis of the visual impact as follows:

“... A proportionate number of viewpoints will be selected from within the ZTV, and verified during site visits, to illustrate the range of views afforded towards the site. Viewpoints will be selected wherever possible to be representative of different visual receptor groups. It is acknowledged however that visual receptor groups are likely to experience a varying degree of exposure to views (duration and

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extent) and that a view from one location may be very different from another in close proximity. Such viewpoints, where selected, are intended to provide an illustration of a typical view...

The comparative assessment in the Jacobs report has therefore been based on a selection of representative viewpoints identified by NPA to represent the different receptor groups.

3. Grouping of Landscape and Visual Receptors

Peter Leaver: *"The NPA assessment methodology groups landscape and visual receptors (table 3 and 4a to 4c) and makes an assessment by group. It would be useful to know if Jacobs consider this to be an acceptable approach and what effect it has on the assessment of significance."*

Response:

The assessment of visual effects by receptor groups is considered acceptable and relatively standard practice. However, the presentation in the NPA LVIA Addendum (March 2018) tables 4a to 4c offers limited transparency in that the effects assessed from specific representative viewpoints are not always clear where the assessment of a particular receptor is based on more than one viewpoint.

Where the NPA assessment is based on more than one representative viewpoint, it is assumed that the assessment presented reflects the range of effects from the different viewpoints, for example, the magnitude of change during construction for 'Road Users – AONB Kennels Lane' is given in Table 4b as *"Medium to Low"* based on representative viewpoints (RV) RV9a and RV 9b.

It is noted that for the purposes of Environmental Impact Assessment, the 'worst-case' should be assessed.

4. Recognised or Important AONB Viewpoints

Peter Leaver: *"In relation to the visual impact from the AONB, are there any VPs of the AONB that you consider to be recognised or important viewpoints? This is with reference to the criteria for assessing significance in GLVIA3 para 6.44."*

Response:

As a starting point, all views within the AONB are considered to be important, in recognition of the nationally important designation. There may be some instances where certain views within the AONB could be considered as less sensitive, for example, where compromised by existing visual detractors.

The reference to GLVIA3¹, paragraph 6.44 is noted in this context as follows:

"...Effects on people at recognised and important viewpoints or from recognised scenic routes are more likely to be significant..."

In this context, GLVIA 3, paragraph 6.37 should also be noted as follows:

¹ Guidelines for Landscape and Visual Impact Assessment, Third Edition (Landscape Institute/ Institute of Environmental Management and Assessment), April 2013.

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“Judgements should also be made about the value attached to the views experienced. This should take account of:

- *Recognition of the value attached to particular views, for example, in relation to heritage assets, or through planning designations...”*

As set out in the Jacobs report (7th June 2018), one of the special qualities identified in the South Devon AONB Management Plan 2014 – 2019 comprises the *“Iconic wide, unspoilt and expansive panoramic views”*. The report elaborates as follows:

“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.”

As noted above in Section 2, NPA explain in their LVIA (October 2017) that viewpoints have been selected wherever possible to be representative of different visual receptor groups. The NPA Representative Viewpoints include a range of iconic panoramic views and glimpses through gate gaps.

5. Separation Between AONB Boundary and Built-up Area

Peter Leaver: *“Finally, we discussed on site the question of the amount of separation needed between the AONB boundary and the edge of the built up area of Paignton / Brixham in order to protect the special qualities of the AONB within it’s setting. I’d be interested in Steve’s views on this question, which seems key to the consideration of the proposal.”*

Response:

The definition of an amount of separation (separation distance) in this context would tend to be arbitrary and is not therefore considered relevant in relation to protection of the special qualities of the AONB. The assessment of effects on the special qualities of the AONB should be based on a thorough assessment of the relevant landscape and visual issues.

Torbay Local Plan policy SS8 states that:

“...it will be particularly important to ensure that development outside the AONB does not have an unacceptable impact on the special qualities of an adjoining AONB... In assessing new development outside AONB, the value of natural landscapes will be carefully considered, using the Torbay Landscape Character Assessment and other relevant management plans, to help ensure the objectives for their conservation are met.”

As explained in the Planning for the South Devon AONB: Planning Guidance (Version 1), *“the effect of development proposals outside the AONB on views within and views out of an AONB are of particular relevance”*.

From: Jane S Thomas jane.thomas@npaconsult.co.uk

Subject: RE: 180706 eo 1360-H Inglewood, Paignton LVIA

Date: 16 July 2018 at 15:47

To: Pete Leaver pete@davidwilsonpartnership.co.uk

Cc: Mike Harris MikeHarris@stridetreglown.com, Andy Cooper andrew.cooper@npaconsult.co.uk, Sara Metcalfe sara.metcalfe@npaconsult.co.uk, Andrew Maltby andrewmaltby@deeleyfreed.co.uk

JT

Dear Pete,

Thank you for your email and the further two issues you have raised summarised below:

1. The Torbay Teignmouth shared authority Landscape Officer's concern about the landscape character impact of changes in management practice in the farmland around the site as part of the LEMP / Farm Management Plan (to enhance biodiversity) which could lead to straggly, unmanaged hedgerows and an unkempt, non-agricultural urban fringe type landscape.
2. He also felt that more woodland copses could be incorporated into the LEMP around the site in preference to a dense unbroken woodland belt around the site.

Our response is as follows:

1. The secured management in perpetuity of hedgerows as described in the Framework Landscape and Ecological Management Plan (FLEMP) in conjunction with the Farm Management Plan (FMP) proposals for land use incorporating the attached Farming Practices Plan, will avoid a straggly unmanaged appearance by regular maintenance including:
 - Regular cutting of hedgerow to a height of circa 3-4m and as cut top A-shaped profile
 - Management of tussocky grassland field margins by cutting every 2-3 years
 - Management of Hay crop field margin by annual cut
 - Pasture grazed by cattle.
 - Internal to the site most hedgerows have been retained and will be regularly cut to a height of 3-4m
2. The landscape treatment within and around the site is responsive to the landscape character and purposefully includes a variety of types of vegetation including:
 - Linear park features within the development area which connect with the planting on the development edge to form wooded areas;
 - There are additional woodland belts reinforcing the existing hedgerow landscape pattern within the developed site;
 - There are also woodland belts of varying widths merging with wider woodland blocks around the site edge to integrate with adjacent farmland;
 - Wood pasture planting with tree groups of varying sizes in retained farmland within the red line application boundary but outside the developed area;
 - Outside the red line application boundary, existing hedgerows are retained and some of the historic field boundary hedgerow pattern reintroduced.

The above approach and balance of landscape treatments has been guided by the following constraints:

- For ecological mitigation, a certain amount of pasture was required, so the woodland area was limited and the pasture increased;

- A requirement that the development would not be visible from KV16
- Avoidance of vegetation along an existing powerline easement in the line of view from RV9.
- The need to integrate the new urban edge.

In response to your Question 'Reading through the latest version of the LEMP, it looks as though you have at least partially addressed these points - am I right in thinking that?' we therefore think we have as far as possible addressed the points raised by Paul Bryan.

Please call if it would be helpful to discuss further.

Kind regards

Jane

From: Pete Leaver [<mailto:pete@davidwilsonpartnership.co.uk>]
Sent: 13 July 2018 17:40
To: Jane S Thomas <jane.thomas@npaconsult.co.uk>
Cc: Sara Metcalfe <sara.metcalfe@npaconsult.co.uk>; Mike Harris <MikeHarris@stridetreglown.com>
Subject: Re: 180706 eo 1360-H Inglewood, Paignton LVIA

Jane,

Thanks for your comments and answers - very helpful.

Just one thing more, in talking to Paul Bryan at Teignbridge, he was concerned about the landscape character impact of changes in management practice in the farmland around the site as part of the LEMP / Farm Management Plan (to enhance biodiversity) in earlier versions of the proposals. His concern was that they could lead to straggly, unmanaged hedgerows and an unkempt, non-agricultural urban fringe type landscape. He also felt that more woodland copses could be incorporated into the LEMP around the site in preference to a dense unbroken woodland belt around the site.

Reading through the latest version of the LEMP, it looks as though you have at least partially addressed these points - am I right in thinking that?

Pete

On 11 Jul 2018, at 07:35, Jane S Thomas <jane.thomas@npaconsult.co.uk> wrote:

Dear Pete,

Thank you for your email. I tried to phone you on Monday, but as you thought, the mobile was out of contact. I left a message that I would respond to your email and I hope you will find the comments below useful.