

APP/X1165/W/20/3245011: Land to the South of White Rock Adjacent To Brixham Road Aka Inglewood Paignton, TQ4 7BQ (LPA Reference P/2017/1133).

Abacus/Deeley Freed, Torbay Council and Brixham Town Council Landscape Position Statement

V8 November 2020

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Landscape Position Statement

1.0 Introduction

- 1.1 This position statement sets out the areas of agreement and disagreement between Torbay Council (the LPA), Brixham Town Council (the Rule 6 Party) and Abacus/Deeley Freed on landscape matters. It is intended to be read in conjunction with the submitted Statement of Common Ground and other appeal documents.
- 1.2 The Statement sets out the background to the treatment of landscape and visual matters in relation to the appeal, the landscape policy framework and other key documents which are considered to be a material consideration. A series of tables set out areas of agreement and disagreement between the parties on the matters at contention. The statement outlines the process by which the landscape and visual impact of the development has been assessed; how the proposals have developed as a result of discussion with interested parties, and the issues that remain at contention.
- 1.3 A scoping opinion was sought from the local planning authority in 2017 (CD1.37). The resultant opinion and its recommendations (CD1.38) were followed in the preparation of the LVIA chapter of the ES. Key vantage points were identified as part of pre application discussions between the applicants and the LPA. The consultation process did not identify additional vantage points, although there is considerable disagreement over the significance of landscape and visual impacts. On this basis there is no disagreement between the parties about the Visual Receptors and locations identified by Nicholas Pearson Associates Landscape and Visual Impact Assessment.

2.0 Site description and Proposal.

- 2.1 The application site known as Inglewood comprises 31ha of open fields, largely bounded by hedgerows on the west side of Brixham Road (A3022). The appeal site is not within the AONB. At its closest, the AONB boundary lies just over 500m to the south of the site

and slightly further to the west. The conservation area of Waddeton lies a similar distance to the south west of the site, with Galmpton conservation area approximately 400m to the south.

- 2.2 It is agreed that the Inglewood site falls within the setting of the AONB. It is within the Torbay Landscape Character Assessment (Enderby Associates (2010), which classifies the site as Landscape Character Type 1O Rolling Farmland within the North Galmpton Area of Local Character (AoLC). The site is within the Torbay Hinterland Landscape Character Area, as defined by the Devon Landscape Character Assessment (2015).
- 2.3 The application the subject of appeal is in outline but was supported by a range of documents, including a Masterplan and an Urban Design Regulatory Plan. The scheme was amended in March 2018 as a result of consultation to reduce the quantum of development on the SW boundary and to reduce the height of development to single storey on particularly sensitive areas of the site. The application is supported by a Landscape and Visual Impact Assessment by Nicholas Pearson Associates (NPA) 2017. This was revised in the LVIA Addendum to reflect the March 2018 revisions to the scheme. Further Verified Visual Montages (for some viewpoints) and an accompanying methodology was submitted to the LPA in February 2020.

Table 1: Baseline Information

	Issue and Abacus Deeley Freed Position	LPA position on the issue	BTC Position on the issue	Abacus/Deeley Freed further comments
AONB Management Plan 2019 -2024	Special qualities define the unique “natural beauty” for which the South Devon AONB is designated. Qualities are defined in annexes 4 and 7 of the AONB Management Plan	Noted. Annex 4 describes the Special Qualities. Section 3 and 4.6 of the Planning for the South Devon AONB Planning Guidance is also relevant.	As per LPA	
	Of the 10 special qualities listed, 3 are relevant to the appeal: Areas of high	The LPA considers the following 7 special qualities	As per LPA, however, necessary to also note the	

	Issue and Abacus Deeley Freed Position	LPA position on the issue	BTC Position on the issue	Abacus/Deeley Freed further comments
	<p>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 southern Dartmoor.</p>	<p>to be applicable to the current appeal:</p> <ul style="list-style-type: none"> • Ria estuaries (drowned river valleys), steep combes and a network of associated watercourses. • Deeply rural rolling patchwork agricultural landscape. • Iconic wide, unspoilt and expansive panoramic views. • A landscape with a rich time depth and a wealth of historic features and cultural associations. • An ancient and intricate network of winding lanes, paths and recreational routes. • 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 southern Dartmoor. 	<p>interrelationship to the planning policy. E.g., Explanatory text to BPNP policy E6 explanatory para 5.28 says “The Brixham Urban Fringe Landscape Study expounds the importance of the South West AONB to the landscape value of the whole Brixham Peninsula, both from the position of how it is viewed from within the developed areas as well as how those developed areas are viewed from the AONB.”</p>	

	Issue and Abacus Deeley Freed Position	LPA position on the issue	BTC Position on the issue	Abacus/Deeley Freed further comments
	AONB MP Policies Lan/P1 and Lan/P5 are relevant to the appeal	Agree AONB MP Lan/P1 and Lan/P5 are relevant. Lan P/4 Tranquillity, Lan/P7 Setting of the AONB and Plan/P2 Decision taking are also relevant.	As per LPA	Noted that AONB Management Plan Policies are not Development Plan Policies.
Landscape Character Assessments	The site is within AoLC 10 North Galmpton, part of the Rolling Farmland landscape character type as defined in The Torbay Landscape Character Assessment 2010.	Agreed	Agreed	Agreed
	The site is within the Torbay Hinterland Landscape Character Area, as defined by the Devon Landscape Character Assessment (2015).	Agreed	Agreed	Agreed

Table 2: Methodology for the LVIA

	Issue and Abacus Deeley Freed Position	LPA position	BTC Position	Abacus/Deeley Freed further comment
	Landscape and visual receptors included in the LVIA are as agreed with the LPA as part of the scoping opinion.	Agreed	Agreed	Agreed
	The submitted LVIA identifies and assesses the effect of development on all relevant landscape character types and areas.	Not agreed; The LVIA does not assess the landscape effects on relevant published sources of local landscape character areas, notably the Torbay North Galmpton AoLC, which encompasses the site.	As per LPA	

	Issue and Abacus Deeley Freed Position	LPA position	BTC Position	Abacus/Deeley Freed further comment
	The submitted LVIA identifies and assesses the effect of development on all relevant visual receptors	Agreed	As per LPA	Agreed
	The VVMs issued in January 2020 comply with LI TGN 06/19	Montages do not comply with guidance, because the supporting methodology (LVIA Appendix IV Addendum) does not provide adequate verifiable data sources, for example, assumed maximum building heights and AOD levels. Confirmation is required that the VVMs represent the worst-case, not the best case scenario. The montages are no substitute for visiting the site to assess the likely visibility.	It is unclear the montages are an accurate representation of the impact. More detail is required, including that set out by the LPA, to justify how the montages have been arrived at.	Discussion with the LPA and their consultants has resulted in a composite drawing (ref NPA 10874 401 revP01) being issued identifying the building heights related to AOD levels.
	The LVIA methodology complies with the guidelines set out in GLVIA3.	Not agreed; The methodology used to determine significance levels in the LVIA is not clear and transparent, as required by GLVIA3 (para 2.24 & 3.23).	As per LPA	
	The methodology employed satisfies the requirements of Torbay Local Plan policy SS8(3) and Brixham Neighbourhood Plan Policy E6.	An assessment of Landscape and Visual impact has been carried out as required by Policies SS8.3 and BPNP E6. However, there is disagreement over the interpretation of the LVIA and significance of impact upon the AONB.	As per LPA	

3.0 Landscape Policy Framework

3.1 **The Development Plan** The development plan comprises the **Torbay Local Plan (2012-30)**, adopted December 2015, and **the Brixham Peninsula Neighbourhood Plan**, which was made in June 2019. The most relevant landscape policies are set out in Appendix

2. The Countryside and Wildlife Act 2000 (CROW) requires public bodies to have regard to the purpose of conserving and enhancing the natural beauty of AONBs, when carrying out their functions.
- 3.2 The NPPF (2019) is a material consideration. Paragraphs 170-172 are particularly relevant to the consideration of landscape matters. Planning Practice Guidance ID8-042-20190721 provides advice on land within the setting of AONBs (etc.)
- 3.3 The **South Devon AONB Management Plan (2019-2024) and Planning Guidance (2017)** is the Management Plan for the South Devon AONB produced by the AONB Partnership responsible for the South Devon AONB pursuant to section 89(1) of the Countryside and Rights of Way Act 2000 (“CROW”). All AONB boards are required to prepare such plans. Section 89(2) of CROW requires a relevant local planning authority to prepare and publish a plan which formulates their policy for the management of the area of outstanding natural beauty and for the carrying out of their functions in relation to it. Planning for the South Devon AONB: Planning Guidance (2017) is an annex of the AONB Management Plan and provides detailed guidance on how development can conserve and enhance the natural beauty of the South Devon AONB. Section 4.6 of the guidance explains the “setting” of the AONB. Annex 4 of the Management Plan “Understanding the special qualities of the South Devon AONB” (2019) details the natural beauty criteria, rationale and distinctive characteristics of each of the ten special qualities of the designated area. The annex explains the relationship between Natural Beauty and Special Qualities.
- 3.4 The area has a planning history, the most directly relevant being **1995/1304/MOA. SW/P/5183/220/4 Business Park Development Comprising B1, B2 Uses, Together With Associated Highway And Landscaping Works And The Creation Of A Balancing Pond (In Outline)**. This application was for a business park. It included the current appeal site as well as land to the North which is currently being built out for residential and commercial use. The application was refused by the Secretary of State on 29 October 1997, following a Call In public inquiry.

Table 3: Relevant Policy

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Position and Further Comment
Countryside and Rights of Way Act 2000	requires LPA to have regard to the purpose of conserving and enhancing the natural beauty of AONBs, when carrying out their functions.	Agreed	Agreed	Agreed
National Planning Policy Framework	Paragraph 170	The site is a valued landscape, para 170a) and b) apply.	The site is a valued landscape, para 170a) and b) apply.	The site is not a valued landscape. Para 170b) applies only.
	Para 171	The site is of cross-boundary significance	As per LPA and as further demonstrated by the multiple representations from other Parish Councils	Policies in the Development Plan refer to the AONB, which is in South Hams, but the policies do not plan for the enhancement of natural capital or landscape character across boundaries.
	Para 172:	The site is not in the AONB. tests a-c in the second part of para 172 do not apply.	As per LPA.	The site is not in the AONB, tests a-c in the second part of para 172 do not apply.
Torbay Local Plan 2012-30 (Adopted December 2015)	Policy SS8(3), SDB1, SDB3, C1 are relevant to landscape and visual issues	Agreed	Agreed	Agreed

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Posiiton and Further Comment
	Relevance of AGLV status (in the former Torbay Local Plan and Devon Structure Plan)	The LPA agree that the AGLV has no current status other than to denote its wider than local significance. The Landscape Character Assessment has taken over some of the functions of the AGLV.	For informed project decisions plan makers distinguish between more and less sensitive areas of the wider countryside. AGLV status is such an example and remains relevant in highlighting how the LPA ranked the site relative to other parts of the countryside. BPNP policies have since attributed given a similarly high weighting to the site using a different plan making processes.	There is no current policy basis for designation of AGLV in the current local plan. The Devon County Structure Plan was abolished by the Localism Act 2011.
	Policy SS9 is relevant to landscape issues.	Policy SS9 deals with green infrastructure. It is of some relevance to landscape considerations because it deals with the landscape context of sites, planting and woodland etc. Policy SS9.3 proposes a Countryside and woodland enhancement scheme over most of the site. Although a	As per LPA.	

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Position and Further Comment
		degree of conflict with SS9.3 and (SC4) is identified in paragraphs 5.8.1-2 of the Officer Report; the LPA did not cite Policy SS9 as a putative reason for refusal.		
Brixham Peninsula Neighbourhood Plan	Policy E1 Landscape beauty and Protected Areas, Policy E3 Settlement Gaps, Policy E6 Views and Vistas are relevant to landscape and visual issues	Agreed	Agreed.	Agreed
	Policy E2	The LPA has cited Policy E2 in its putative reasons for refusal. The policy is in part informed by landscape characteristics. The Policy also serves a spatial function in directing development to towns or within settlement boundaries.	Policy E2 Settlement Boundaries is relevant to landscape and visual issues.	This is not a landscape policy. It is dealt with in Mr Fitton's evidence
	Policy E6	Policy E6 defines views and vistas, particularly to and from the River Dart as valued landscapes, and seeks to safeguard them		
South Devon AONB Management Plan 2019-2024	Policies of the Management Plan do not constitute development plan policies, but are a material consideration.	Agreed.	Agreed.	The AONB Management Plan is required by Statute but it is not required to be tested by examination.

4.0 Torbay Council's Consideration of Landscape Matters and Landscape Reasons for Refusal

4.1 The current appeal on the basis of non determination was lodged in December 2019. On this basis the matter was reported to Planning Committee in February 2020 to indicate what the LPA's determination of the proposal would have been, based on the information before it. Landscape impact is discussed in section 5.5 (PP37-42) of the report. The report considered the findings of a number of different landscape assessments and other evidence that had been submitted either on behalf of the applicants, the LPA or by third parties. The main reports were:

- Landscape and Visual Impact Assessment, prepared by Nicolas Pearson Associates (NPA) for the applicants (November 2017, revised Landscape Addendum March 2018, and additional photomontages and methodology January 2020).
- AONB Unit and other objectors including but not limited to the neighbouring town/parish councils, CPRE, Ramblers' Association etc.
- Landscape Officer's advice to Torbay Council.
- Torbay Landscape Advice (Jacobs for Torbay Council, June 2018).
- David Wilson Partnership (July 2018): Landscape and Visual Review on behalf of the applicants.
- Michelle Bolger Expert Landscape Consultancy (MBELC for Farrer and Co. on behalf of objectors).

4.2 The officer report acknowledges that the various landscape evidence reached different conclusions. In particular the landscape advice from the Landscape Officer (Mr Paul Bryan, Teignbridge District Council's landscape officer, who was at the time commissioned to provide landscape advice to Torbay Council) was positive towards the proposal; whilst the AONB Partnership objected to both the original and revised scheme. Natural England referred the Council to the AONB Partnership. In light of the different advice, the Council appointed Jacobs who carried out the June 2018 Landscape Advice.

4.3 Whilst the diverse reports and evidence came to different conclusions about the landscape and visual impact of the proposal, they did not identify different viewpoints/visual receptors to those identified in pre-application discussions and the applicant's LVIA.

4.4 A spokesman for Brixham Town Council's Neighbourhood Plan Sub-Group (now the Rule 6 Party) spoke at the Committee to explain their objections to the proposal both on landscape and other issues.

4.5 The Planning Committee resolved unanimously that the application would have been refused, were Torbay Council still the determining authority. The first putative reason cites the development of an area identified as a settlement gap identified in Policy E3 of the Neighbourhood Plan as an instance of conflict with the BPNP. The third reason for refusal relates to landscape impact:

3)The development would represent a substantial and harmful intrusion into open countryside which forms part of the backdrop and setting of the South Devon AONB, which would be clearly visible from public vantage points and recreational networks (within the AONB) and from outside the AONB (looking towards AONB), contrary to Paragraphs 170 and 172 of the NPPF, Policies SS2, SS8.3 and C1 of the Torbay Local Plan 2012-30, and Policies E1 and E6 of the Brixham Peninsula Neighbourhood Plan, and the South Devon AONB Management Plan (2019-2024).

4.6 These reasons set out the LPA's view on the (former) Inspector's first main issue: i.e. landscape impact both in terms of the effect on the AONB through development within its setting; and the effect on the valued landscape which is designated countryside (Local Plan Policy C1) and Settlement Gap (BPNP Policy E3).

Table 4: Landscape and Visual Effects – AONB

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Position	Agreed or At Dispute
	The site is in the setting of the AONB.	Agreed	Agreed.	Agreed.	Agreed
	The inspector is invited to particularly consider viewpoints 5,6,7, 8 and 19 in discussions of the impact of development on the setting of the AONB.	Agreed	Agreed.	Agreed	Agreed
	Landscape and Visual Effects.	There would be a significant adverse effect on visual receptors in the AONB from south of Galmpton and west of the	As per LPA.	No significant in operation effects on landscape or visual receptors within the AONB are predicted as a result of the development.	At Dispute

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Position	Agreed or At Dispute
		Dart- particularly above Dittisham.			
	Cumulative landscape and visual effects.	Significant cumulative landscape and visual effects are predicted.	As per LPA.	No significant cumulative effects are predicted on landscape or visual receptors within the AONB as a result of the development.	At Dispute
	Night time effects	The AONB Partnership remains concerned about the cumulative effect of development upon the night sky and the natural nightscape of this element of the AONB setting. The LPA's report has, however, identified the daytime effects as the principal cause of concern.	As per LPA.	No significant night time effects are predicted on landscape or visual receptors within the AONB as a result of the development.	Unclear
	How many of the 10 special qualities (SQ) noted in the AONB Management Plan, are pertinent to the appeal:	See Table 1 above. Seven special qualities are likely to be relevant.	As per LPA.	See Table 1 above. Three are likely to be pertinent.	At Dispute
	SQ: Iconic wide, unspoilt and expansive panoramic views	There would be a significant and harmful effect from PROW viewpoints within the AONB particularly from elevated positions west of	As per LPA.	The development would not significantly affect the scale or quality of panoramic views from or to the AONB.	At Dispute

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Position	Agreed or At Dispute
		the Dart above Dittisham and south of Galmpton.			
	SQ: Areas of high tranquillity, natural nightscapes, distinctive natural soundscapes and visible movement.	The sense of tranquillity and remoteness from public vantage points would be visually diminished. The LPA has not argued that the site will affect the AONB by noise disturbance.	As per LPA.	The site does not contribute to tranquillity within the AONB. Development would not significantly impinge on those qualities.	At Dispute
	SQ: 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.	The site is part of rolling farmland on the upper slopes of the Dart Valley that forms part of the setting to the AONB and there is no clear visual or functional transition between the character of the AONB and the rural setting. The appeal site is distinct from the urban area of Torbay in the background, and the smaller riverine settlements along the Dart.	As per LPA.	The site is seen as part of the urban setting of the AONB. Development would not significantly affect the character of the setting of the AONB.	At Dispute
	SQ: Ria estuaries (drowned river valleys), steep combes and a network of associated watercourses.	The Application site merges with the slopes of the Dart Valley. There is no clear visual or functional distinction	As per LPA.	The proposed development would have no direct impact on the distinctive characteristics of the SQ.	At Dispute

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Position	Agreed or At Dispute
		between the valley slopes and AONB boundary.			
	SQ: Deeply rural rolling patchwork agricultural landscape.	The rolling farmland backdrop to the AONB would be significantly altered.	As per LPA.	The proposed development would have no direct impact on the distinctive characteristics of the SQ.	At Dispute
	SQ: A landscape with a rich time depth and a wealth of historic features and cultural associations.	The LPA has not objected on grounds of harm to designated heritage assets. However the proposal would be a significant change to the character of the historic landscape, which is characterised by small settlements with a clear functional relationship to the Dart and much smaller hamlets in the open countryside.	As per LPA. The Rule 6 Party notes the LPA identifies “significant change” and strongly supports this assessment.	The proposed development would have no direct impact on the distinctive characteristics of the SQ.	At Dispute
	SQ: An ancient and intricate network of winding lanes, paths and recreational routes.	The site would be clearly visible from historic rights of way, including the John Musgrave Heritage Trail.	As per LPA.	The proposed development would have no direct impact on the distinctive characteristics of the SQ. Changes in the composition of views from parts of the path network would not result in significant adverse effects.	At Dispute
	Local Plan Policy SS8 (3) compliance.	The development would substantially and harmfully intrude into the	As per LPA.	The appellant considers the proposal to comply with policy SS8(3)	At Dispute

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Position	Agreed or At Dispute
		backdrop and setting of the AONB.		The development does not have an unacceptable impact on the special qualities of the AONB.	
	Local Plan Policy SDB1 compliance.	The development would substantially and harmfully intrude into the backdrop and setting of the AONB.	As per LPA. The Rule 6 Party would further add that the development cannot be accommodated without prejudicing the integrity of the South Devon AONB.	The appellant considers the proposal to comply with policy SDB1 The development can be accommodated without prejudicing the integrity of the South Devon AONB.	At Dispute
	Local Plan Policy SDB3 compliance.	The LPA has cited SDB3 as a putative reason for refusal. However, it recognises that the site is not within the AONB and somewhat outside the Brixham Urban Fringe. Therefore Policy SDB1 is more relevant.	As per LPA.	The appellant considers the proposal to comply with policy SDB3 The development will have no direct effect on the AONB. The landscape value of the AONB will not be significantly affected.	At Dispute
	BPNP Policy E1 compliance.	The LPA considers the proposal conflicts with this policy, as set out above.	The proposal conflicts with this policy and cannot be accommodated without a loss of protection of the AONB.	The appellant considers the proposal to comply with policy E1 The development can be accommodated without loss of protection of the AONB (policy E1.3). Characteristics of dark night skies and tranquillity will not be significantly affected (E1.5).	At Dispute

	Issue	LPA position	BTC Position	Abacus/Deeley Freed Position	Agreed or At Dispute
	BNP E2 Settlement Boundary compliance	The LPA has cited Policy E2 in its putative reasons for refusal. The policy is in part informed by landscape characteristics. The Policy also serves a spatial function in directing development to towns or within settlement boundaries.	Policy E2 Settlement Boundaries is relevant to landscape and visual issues. The proposed development comprises a new settlement unrelated to existing residential development and amenities (compare BNP Policy BH9, para c.). This helps explain the magnitude of the landscape impact set out elsewhere.	This is not a landscape policy. It is dealt with in Mr Fitton's evidence	At Dispute
	BNP E3 Settlement Gap compliance	The proposal results in the significant infilling of the settlement gap, contrary to Policy E3	The proposal results in the significant infilling of the settlement gap, contrary to Policy E3.	The appellant considers the proposal to comply with policy E3 A physical and perceptual gap between the settlements would be maintained after development.	At Dispute
	BNP Policy E6 compliance.	Views towards the AONB will be significantly affected – particularly from Brixham Road.	Views towards the AONB will be significantly affected – particularly from Brixham Road.	The appellant considers the proposal to comply with policy E6 Views towards the AONB from the identified viewpoint are protected. Additional opportunities for view towards the AONB will be created by the development.	At Dispute

Table 5: Landscape and Visual Effects – outside the AONB

	Issue and Abacus Deeley Freed Posiiton	LPA position	BTC Position	Abacus/Deeley Freed Further Comment	Agreed or At Dispute
	Harm to heritage assets is very minor – less than substantial.	Agreed.	BTC would agree the impact is less than substantial but disputes the phrase very minor.		At Dispute with BTC
	With the exception of the AONB, there are no other designated landscape affected by the development.	Agreed. However the Torbay Landscape Character Assessment is relevant and given weight by Policy C1 of the Torbay Local Plan	As per LPA.	The Torbay Landscape Character Assessment does not confer designation on landscapes within the study area.	Unclear
	The inspector is invited to particularly consider viewpoints 7, 8, 9, 11 and 14 in consideration of effects on landscape and visual receptors outside the AONB.	The viewpoints outside the AONB are 11,12,13,14,15,18	As per LPA.	Noted. VPs 7, 8 and 9 are also helpful in considering effects on landscape receptors outside the AONB.	At Dispute
	Landscape and visual effects.	The LPA accept that landscaping will reduce the impact somewhat. Nevertheless residual effects remain.	As per LPA. Until the requested detail regards the montages is provided, any “predictions” about post	After establishment of the scheme, the levels of effect on landscape and visual receptors outside the AONB is predicted to be not significant.	At Dispute

	Issue and Abacus Deeley Freed Posiiton	LPA position	BTC Position	Abacus/Deeley Freed Further Comment	Agreed or At Dispute
		Landscaping will affect the character of the AONB's visual backdrop as it will no longer be rolling farmland.	establishment impacts are inherently uncertain.		
	Cumulative landscape and visual effects.	There will be a cumulative effect with the White Rock development.	As per LPA.	No significant cumulative effects are predicted on the on landscape or visual receptors outside the AONB as a result of the development.	At Dispute
Torbay Local Plan	Policy C1 compliance.	The development is contrary to Policy C1	As per LPA.	The appellant considers the proposal to comply with policy C1 The proposal will lead to some loss of open countryside.	At Dispute
	Policy C1 compliance.	The development is contrary to Policy C1. It does not protect, conserve or enhance the special landscape qualities identified in the Landscape Character Assessment	As per LPA.	The appellant considers the proposal to comply with policyC1 The development avoids the merging of urban areas with surrounding settlements and safeguards the rural character of the setting of Paignton and Galmpton.	At Dispute
	Policy SS8(3) compliance.	The development is contrary to Policy SS8.3	As per LPA.	The appellant considers the proposal to comply with policy SS8(3) The green infrastructure strategy demonstrates how natural assets and landscape attributes will be conserved and enhanced.	At Dispute

	Issue and Abacus Deeley Freed Posiiton	LPA position	BTC Position	Abacus/Deeley Freed Further Comment	Agreed or At Dispute
	Policy SS9 compliance.	The LPA has not cited SS9 as a reason for refusal in the planning balance. However Policy SS9.3 does not envisage 373 dwellings as a way of enabling the Countryside access scheme. The Local Plan Policies Map shows SS9 covering much of the appeal site. Countryside access is also already required as part of the S106 Agreements for White Rock Phase 1.	As per LPA.	The appellant considers the proposal to comply with policy SS9. Green infrastructure criteria listed (a-f) are incorporated and reflected in scheme design. The development delivers countryside access improvements identified at SS9.3	At Dispute
Brixham Peninsula Neighbourhood Plan	Policy E1 compliance.	The LPA considers the proposal contrary to Policy E1 as set out above.	The proposal is contrary to Policy E1 as set out above and by the LPA. At E1.3 the policy specifically refers to “ <u>Development within or impacting on the AONB</u> ” (emphasis added) and does not seek to differential between locations. The thrust of the wider evidence presented is the development is outside of the AONB and thereby a negative impact is acceptable. Such an argument	The appellant considers the proposal to comply with policy E1 The development respects the landscape qualities of the site and surrounding area. Proposals will enhance landscape qualities through delivery of land management plans.	At Dispute

	Issue and Abacus Deeley Freed Posiiton	LPA position	BTC Position	Abacus/Deeley Freed Further Comment	Agreed or At Dispute
			is not consistent with the policy requirement.		
	Policy E3 compliance.	The BPNP shows the settlement gap over the appeal site. The gap will be diminished and the remaining “gap land” is located on lower ground than the appeal site.	The proposal is contrary to Policy E3 as the gap will be lost. As per the Appendix 3 to the BPNP, gaps are experienced from principle viewpoints. That some of the general area of the current gap shown on the Policy Maps remains post development is irrelevant if the said general area is unable to inform principle viewpoints. Further, as per BPNP explanatory para 5.23 gaps provide “an open characteristic to the area which draws in views of distant landscapes”. Although there would be some remaining countryside between the proposed development and Galmpton, views would be short distance over an area which (because of its function as a car-boot field) often fails to have an open characteristic.	The appellant considers the proposal to comply with policy E3. A physical and perceptual gap will be maintained between the site and Galmpton	At Dispute

	Issue and Abacus Deeley Freed Posiiton	LPA position	BTC Position	Abacus/Deeley Freed Further Comment	Agreed or At Dispute
	Policy E6 compliance.	As noted above, the LPA considers that there will be a loss of public views towards the AONB from Brixham Road contrary to Policy E6.	The proposal is contrary to Policy E6. The policy specifically refers to “Views and vistas, particularly those to and from the sea or the River Dart, public views of the townscape, seascape, landscape and skyline that are valued by residents and visitors alike.” Public views from the Brixham Road across the application site to the River Dart are experienced demonstrably more regularly than any other public views of the River Dart. However the proposed built development and mitigating planting will screen the River Dart. While future montages may show part of the AONB at higher elevations may remain visible, the River Dart valley itself will not be.	The appellant considers the proposal to comply with policy E6 The proposal accounts for and safeguards public views out across the site towards the AONB and respects views over the site towards Torbay from the AONB.	At Dispute

5.0 Areas of Agreement and Disagreement between the Appellant’s LVIA, Torbay Council and Brixham Town Council.

5.1 The following tables (6 – 8) set out the conclusions of effects on individual visual and landscape receptors and overall conclusions on significance as set out in the LVIA and the 2018 LVIA addendum. Alongside these conclusions are the LPA and R6 response to those assessments. To aid the inspector, individual assessments have been graded: Green where there is agreement with the appellant's LVIA. Amber, where the LPA considers there to be some disagreement about the level of effect but which in isolation would not warrant a recommendation of refusal in the overall planning balance (although the cumulative impact needs to be taken into account). Red where the LPA has a significant disagreement with the LVIA's findings and considers the impact to be significantly greater than indicated in the LVIA. Where the Rule 6 Party and LPA have reached a different conclusion, this is set out in their column.

Table 6: Visual Effects Assessment: (2018 amendments noted in text) (Sensitivity, magnitude of effect, level of effect)

Viewpoints	LVIA Description	LVIA Assessment and Deeley Freed Position *	LPA's assessment of visual impact (including Jacobs assessment from June 2018) where different to the LVIA	Rule 6 Party's Comments/ Assessment of Visual Impact	Agreed / At Dispute
<i>Far distant views from the north and west</i>					
1. Buttshill Copse	Leading from Buttshill Cross to the reservoir, taken at about 5 km north of the nearest site boundary.	Impact has been scoped out.	GREEN: Scoped out	Comment not possible as visitation during lock-down considered inappropriate.	Agreed
2 AONB North of Asprington	Representative View at approximately 100m AOD taken from the John Musgrave Heritage Recreational Trail and Long Distance Cycle Path number 2, near the entrance gates to Sharpham House, at about 6km west of the nearest site boundary.	Impact has been scoped out	GREEN: Scoped out	Comment not possible as visitation during lock-down considered inappropriate.	Agreed
<i>Distant views from the south west, including views from within the AONB</i>					
3. AONB from the road from Cornworthy to Dittisham	RV 3 – Representative View, from within the AONB, at approximately 110 m AOD taken from the road from Cornworthy to Dittisham, just east of the reservoir before the road starts to descend at about 4.5 km south west of the nearest site boundary.	High sensitivity, low magnitude, minor adverse	The proposal will be visible from this vantage point, particularly from the road gate. However, the site is relatively distant. Development would increase the perception of urban development just below the skyline. Green : Agree with applicants that magnitude of impact is likely to be low and the level of effect Minor adverse	Comment not possible as visitation during lock-down considered inappropriate.	Agreed

<p>4 (a-c) Points around Kingston Farm, west of the AONB. (not shown in montages)</p>	<p>RV 4a – Representative View (Sequential view 4a - 4c), from outside the AONB, across the AONB, at approximately 120 m AOD taken across the road from and north of Kingston Farm at about 5 km south west of the nearest site boundary.</p> <p>RV 4b – Representative View (Sequential view 4a - 4c) at approximately 140 m AOD taken from the bridle path south of Kingston Farm at about 5 km south west of the nearest site boundary.</p> <p>RV 4c – Representative View (Sequential view 4a - 4c) at approximately 160 m AOD taken from the bridle path south of Kingston Farm at about 5.25 km south west of the nearest site boundary.</p>	<p>Medium sensitivity, low magnitude, Minor adverse to negligible.</p>	<p>These viewpoints are outside of the AONB, and therefore the LPA has given the impact limited weight.</p> <p>The LPA does not dispute the LVIA assessment of medium sensitivity, with minor adverse to negligible overall effect.</p> <p>Green: The viewpoint is not AONB</p>	<p>Comment not fully possible as visitation during lock-down considered inappropriate.</p> <p>It is suggested the LPA review the Rule 6 Party comment at RV13 wherein the Rule 6 Party highlights how the Development Plan specifically accords high weight to viewpoints which are from outside the AONB.</p>	<p>Unclear – possible dispute with BTC position</p>
<p>5a and 5b. Road between Capton and Dittisham, Downton Cross</p>	<p>RV 5a – Representative View, from outside the AONB, across the AONB< (Sequential view 5a -5d) at approximately 170 m AOD taken from Downton Cross Junction of the road leading from Capton to Dittisham at about 5.25 km south west</p>	<p>High sensitivity, Low magnitude, Minor adverse</p>	<p>These viewpoints are outside of the AONB, and therefore the LPA has given the impact limited weight.</p> <p>Notwithstanding this, the Inglewood site is (surprisingly) clearly visible in the distance from Downton Cross south of Viewpoint 5(a) on the road to Dittisham. Because this viewpoint is not within the AONB, the LPA has accorded the visual impact only minor weight.</p>	<p>Comment not possible as visitation during lock-down considered inappropriate.</p> <p>The Rule 6 Party requests clarification of the basis for the LPA’s general methodology that a “viewpoints outside of the AONB... has (<i>sic</i>)... limited weight”.</p>	<p>Agreed</p>

	<p>of the nearest site boundary.</p> <p>RV 5b – Representative View, from within the AONB, (Sequential view 5a -5d) at approximately 160m AOD taken from the road leading from Capton to Dittisham at about 3.9 km south west of the nearest site boundary.</p>		<p>Green: The viewpoint is not AONB. The LPA agrees with the LVIA assessment.</p>	<p>It is suggested the LPA review the Rule 6 Party comment at RV13 wherein the Rule 6 Party highlights how the Development Plan specifically accords high weight to viewpoints which are from outside the AONB.</p>	
<p>5c and 5d: Within the AONB From road and footpath leading to Dittisham near Cott Farm</p>	<p>RV 5c – Representative View (Sequential view 5a - 5d) at approximately 120 m AOD taken from the road leading from Capton to Dittisham near Cott Farm Bed and Breakfast at about 3.5 km south west of the nearest site boundary.</p> <p>RV 5d – Representative View (Sequential view 5a - 5d) at approximately 150m AOD taken from the footpath leading eastwards off the road leading from Capton to Dittisham at about 3.6 km south west of the nearest site boundary.</p>	<p>High sensitivity, low magnitude, Minor adverse level of effect</p>	<p>From RV 5c, most road users will be focussing on the road rather than the distant vista. The LPA considers this impact to be less severe than from Fire Beacon Hill (viewpoints 6A)</p> <p>However, from RV 5d, the VVM shows development is clearly visible from this footpath within the AONB, which would only be partly screened by year 10.</p> <p>RED: The LPA agree with the LVIA assessment of sensitivity (High), however, consider the magnitude of impact to be Medium (a clearly noticeable feature of the view, readily apparent to the viewer) and the level of effect Moderate adverse and significant (eroding the rural landscape character of the upper slopes of the Dart Valley).</p>	<p>Comment not possible as visitation during lock-down considered inappropriate.</p> <p>A desktop assessment indicates that strong agreement with the LPA is likely.</p>	<p>At Dispute</p>
<p>6a-6b Recreational Trail on Fire Beacon Hill</p>	<p>RV 6a – Representative View, from within the AONB, (Sequential view 6a -6b) at approximately 160 m AOD taken from the Recreational Trail on Fire Beacon Hill near Higher Bosomzeale Farm (which is</p>	<p>High sensitivity, low magnitude of effect, minor adverse level of effect.</p>	<p>The VVM for RV 6a shows the Inglewood site clearly visible from Fire Beacon Hill. Prolonged, elevated open view across the Dart estuary of proposed housing for footpath walkers. New housing would be clearly visible in front of the existing urban edge of Paignton, which is currently well defined by Brixham Road and the associated mature roadside trees.</p>	<p>Comment not possible as visitation during lock-down considered inappropriate.</p> <p>A desktop assessment indicates that strong agreement with the LPA is likely.</p>	<p>At Dispute</p>

	<p>over the crest of the hill and outside the ZTV) at about 3.7 km south west of the nearest site boundary.</p> <p>RV 6b – Representative View of sequential views from RV 6a to 6b running along the 150m AOD contour taken from the Recreational Trail as it runs south east over/around Fire Beacon Hill before the trail starts to descend at about 3.7km south west of the nearest site boundary.</p>		<p>The proposed development would result in a clear reduction in the amount of open landscape forming the buffer between the AONB and existing urban area. New housing in Field 4 and in Field 5 would extend down the slopes of the tributary valley of the River Dart, a characteristic landform within the AONB setting.</p> <p>At this elevation, mitigation planting would do little by year 10 to mitigate the loss of rural buffer to the AONB or the adverse effect on landscape pattern resulting from the spread of urban development into the tributary valley of the River Dart.</p> <p>Nords Plantation is located southwards of the development when viewed from these points and provides very little screening.</p> <p>Although the Inglewood site is approximately 3.8km from these viewpoints, the LPA considers that the development would not be seen as blending in with the built up area but would rather be an incursion into the AONB's setting to the detriment of the special qualities of the riverine landscape.</p> <p>RED: The LPA disagrees with the LVIA. It considers the magnitude of effect to be Medium and the level of effect to be Moderate and-significant even after landscaping has become established.</p>		
7a Above Dittisham	<p>RV 7a – Representative View of sequential views, all within the AONB, from RV 7a to 7d at approximately 155 m AOD taken from recreational trail to Dittisham near the road from Bosomzeale to</p>	<p>High sensitivity, low magnitude of effect, minor adverse level of effect.</p>	<p>This viewpoint is similar to that from Fire Beacon Hill and the LPA considers that there will be a significant visual impact.</p> <p>RV 7a forms part of a sequence of elevated open views across the Dart estuary of proposed housing for footpath walkers. New housing would be clearly visible in front of the existing urban edge of</p>	<p>Comment not possible as visitation during lock-down considered inappropriate.</p> <p>A desktop assessment indicates that strong agreement with the LPA is likely.</p>	At Dispute

	Dittisham at about 3.7 km south west of the nearest site boundary.		<p>Paignton, which is currently well defined by Brixham Road and the associated mature roadside trees. The proposed development would result in a clear reduction in the amount of open landscape forming the buffer between the AONB and existing urban area.</p> <p>RED: The LPA disagrees with the LVIA. It considers the magnitude of effect to be Medium and the level of effect to be Moderate adverse and significant even after landscaping has become established.</p>		
7b-e Above Dittisham	<p>RV 7b – Representative View of sequential views from RV 7a to 7d at approximately 150 m AOD taken from the recreational trail running downhill to Dittisham at the point where the trail dog legs back (north) at about 3.5 km south west of the nearest site boundary.</p> <p>RV 7c – Representative View of sequential views from RV 7a to 7d at approximately 120 m AOD taken from the recreational trail running downhill to Dittisham just west of River Farm (which although located on lower land lies within the ZTV) at about 3.3km south west of the nearest site boundary.</p>	High sensitivity, low magnitude of effect, minor adverse level of effect.	<p>VVM from RV 7d shows that the proposed development would also be a clearly noticeable feature in views from lower down the slope.</p> <p>The baseline viewpoints 7b, c, and d show the appeal site as being clearly visible from a prolonged series of views heading down to Dittisham, only becoming screened by 7(e).</p> <p>RED: 7b,c and d are significantly affected as per 7a</p>	<p>Comment not possible as visitation during lock-down considered inappropriate.</p> <p>A desktop assessment indicates that a strong agreement with the LPA is likely.</p>	At Dispute

	RV 7d – Representative View of sequential views from RV 7a to 7d at approximately 55m AOD on a similar contour to River Farm, taken from the recreational trail running downhill to Dittisham where the footpath joins the track running northwest from River farm to Dittisham) at about 3 km south west of the nearest site boundary				
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Viewpoints	LVIA Description	LVIA Assessment and Deeley Freed Position *	LPA's assessment of visual impact (including Jacobs assessment from June 2018) where different to the LVIA	Rule 6 Party's Comments/ Assessment of Visual Impact	Agreed / At Dispute
Distant views from the south, including views from within the AONB					
RV8a-8d Within AONB looking over Galmpton from John Musgrave Heritage Trail)	<p>RV 8a – Representative View of sequential views, all within the AONB, from RV 8a to 8d at approximately 110 m AOD taken from the JMH Trail near running west to east across an open field at about 2.2 km south of the nearest site boundary.</p> <p>RV 8b – Representative Sequential View of sequential views from RV 8a to 8d at approximately 115m AOD taken just east</p>	<p>Note that the LVIA Addendum (2018) has revised the assessment from these viewpoints:</p> <p>High sensitivity. Medium magnitude, reducing to medium/low over time. Moderate</p>	<p>Development would be visible from a sequence of views along the John Musgrave Trail within the AONB.</p> <p>Clear, oblique elevated prolonged view of proposed housing across most of the Site for trail walkers. New housing would be clearly noticeable as a discordant element, extending beyond the well integrated existing urban edge defined by Brixham Road and associated mature trees, into the open rural landscape on the plateau flanking the north-eastern slopes of the Dart estuary valley.</p>	<p>Agree with the LPA's conclusion reached, but based only on recall due to inability to visit the viewpoint at present due to lockdown.</p> <p>Necessary to add to their justification as follows:</p> <ul style="list-style-type: none"> - The development proposed is more centrally located in the view enjoyed, located at a higher elevation than existing development at Galmpton, and what is to be built is itself taller (3 storey in part not just 2 storey). 	At Dispute

	<p>of RV 8a from the JMH Trail at about 2.2 km south of the nearest site boundary.</p> <p>RV 8c – Representative Sequential View of sequential views from RV 8a to 8d at approximately 120 m AOD taken just east of RV 8b from the JMH Trail at about 2.2 km south of the nearest site boundary.</p> <p>RV 8d – Representative View of sequential views from RV 8a to 8d at approximately 115 m AOD, from the JMH Trail which runs along a track bounded by hedgerows, east of the A379, taken through a gateway opening in the hedgerow at about 2.2 km south of the nearest site boundary.</p>	<p>adverse reducing with time to moderate to minor adverse</p>	<p>Mitigation planting would only partially soften the view by year 10, with the perception of the extended urban area remaining.</p> <p>RED: The LPA disagrees with the LVIA. It considers the magnitude of effect to be Medium and the level of effect to be Moderate adverse and significant.</p>	<ul style="list-style-type: none"> - The development is also in front of a visually pleasing part of the skyline. - It is unclear the montages are an accurate representation of the impact. As shown many of the roofs slope towards the viewpoint, so presenting as grey, rather than being gable ends, so presenting as white. As this is a reserved matter no certainty can be attributed to this roof style. 	
<p>9(a-b) Kennels Lane, south of Galmpton.</p>	<p>RV 9a – Representative View of sequential views, all on the AONB boundary from RV 9a to 9b at approximately 115 m AOD, from the B road between the A379 and the steam railway bridge at about 2 km south of the nearest site boundary.</p>	<p>Note: Assessment changed in the LVIA Addendum (2018): High sensitivity, low magnitude of effect, moderate to minor adverse level of</p>	<p>The visual impact appears similar to viewpoints 8a-8d with the impact diminishing somewhat as one travels down Kennels Lane towards Galmpton.</p> <p>From 9a: Clear, elevated passing view of proposed housing across most of the site for passing vehicle travellers, cyclists and walkers. New housing would be clearly noticeable as a discordant element, extending</p>	<p>Agree with the LPA's conclusion reached, but based only on recall at the present time due to lockdown.</p> <p>Necessary to repeat comment as per 8(a-d) above.</p> <p>Necessary to add the impact at location 9a is considered worse than 8(a-d) as the development on the Settlement Gap causes the existing urban areas of Paignton and</p>	<p>At Dispute</p>

	RV 9b – Representative View of sequential views from RV 9a to 9b at approximately 70m AOD, from the Kennel Lane, (a B road, between the A379 and the steam railway bridge) just south of the bridge on the recreational trail, the Greenway Walk at about 1.4 km south of the nearest site boundary.	effect. Reducing to minor adverse to negligible.	urban development into the open rural landscape in the foreground of distant high ground. RED The LPA considers that there would be a greater residual impact at 9a than indicated in the LVIA Addendum. The LPA considers the magnitude of effect to be Medium and the level of effect to be Moderate adverse and significant.	Galmpton to visually coalesce in the view shown.	
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<i>Far distant views from the south east</i>					
Viewpoints	LVIA Description	LVIA Assessment and Deeley Freed Position *	LPA's assessment of visual impact (including Jacobs assessment from June 2018) where different to the LVIA	Rule 6 Party's Comments/ Assessment of Visual Impact	Agreed / At Dispute
RV10 SW of Brixham	RV 10 – Representative View at approximately 150 m AOD, south west of Brixham from the high point along Challeycroft Road, a track marking the Unitary Authority Boundary at about 4.5 km south east of the nearest site boundary.	Impact has been scoped out	Impact has been scoped out	Agree with the LPA's conclusion reached.	Agreed

<i>Near views from the south east and east –outside the AONB</i>					
Viewpoints	LVIA Description	LVIA Assessment and Deeley Freed Position *	LPA's assessment of visual impact (including Jacobs assessment from June 2018) where different to the LVIA	Rule 6 Party's Comments/ Assessment of Visual Impact	Agreed / At Dispute
RV11 NW Galmpton	RV 11 – Representative View at approximately 50 m AOD, outside the AONB, taken from the Galmpton Open Access Land near Windy Corner on the north western edge of Galmpton at about 500m south of the nearest site boundary	Medium sensitivity, medium magnitude of effect, moderate adverse impact reducing to moderate and then negligible as woodland planting matures	This view is also analogous to Turnpike Cottage (Grade 2 Listed Building), however the effect is less than substantial. Although the Settlement Gap (BPNP E3) is partially closed, some visual gap remains from this angle. The viewpoints are not within the AONB. GREEN: The LPA does not disagree with the appellant's assessment	Disagree. The Appellants conclusion of "negligible" over the long term is not accepted. Development is alien to the existing countryside view enjoyed and the visually effective screening proposed only merely serves to close a Settlement Gap.	At Dispute with BTC
RV12 Brixham Road (Close to Hunters Tor Drive)	RV 12 – Representative View at approximately 65 m AOD, taken from the entrance to the Car Boot Field off the A3022, the Brixham Road, at about 30m south east of the nearest site boundary, near to the western edge of Goodrington, which faces the site.	High/Medium sensitivity, medium to low magnitude, moderate/substantial to minor a level of effect: Reducing over time to Moderate/ Substantial Adverse.	This viewpoint is taken from the entrance to the "Car Boot Field" to the south of, and at a lower level than, the appeal site. From this viewpoint, the foreground remains undeveloped. There is no VVM, which makes it difficult to fully assess the effect. However it appears likely that development will be partially screened by the ridgeline and hedgerows. The views northwards and westwards are not within the AONB	Agree with the overall LPA conclusion reached, but the text warrants a red not amber indicator. It is considered that the introduction of development on the western side of the road is a substantial incursion into open countryside in breach of the Settlement Boundary at the most prominent of locations as signified by the designation of the land as Settlement Gap. It is suggested the LPA review the Rule 6 Party comment at RV13 wherein the Rule 6 Party highlight how the Development Plan specifically	At Dispute with BTC

		(Moderate Adverse driving south, Minor Adverse travelling north)	<p>but are protected by the BPNP The BPNP's Settlement Gap will be greatly reduced although some remaining gap will be apparent from VP12</p> <p>AMBER: Whilst not within the AONB, there would be a substantial impact upon the Settlement gap identified in the BPNP.</p>	<p>accords high weight to viewpoints which are from outside the AONB.</p>	
RV13 Brixham Road	RV 13 – Representative View at approximately 70 m AOD, taken from the point where the middle footpath joins the A3022 on the western edge of the Goodrington residential area facing the site at about 15 m east of the nearest site boundary.	<p>High/Medium sensitivity, medium to low magnitude, moderate/substantial to minor a level of effect:</p> <p>Reducing over time to Moderate/Substantial Adverse reducing to Moderate Adverse driving south, Minor Adverse travelling north</p>	<p>Impact is similar to VP14 (see below). Views across the site towards the AONB would be significantly affected and the Settlement Gap in the BPNP would be urbanised and closed when viewed from this vantage point.</p> <p>Whilst taken from the Highway, this viewpoint is similar to the outlook from some dwellings in the area</p> <p>RED: The LPA disagrees with the LVIA. It considers the magnitude of effect to be High and the level of effect to be Substantial adverse and significant.</p> <p>Whilst not within the AONB, there would be a substantial impact upon the valued landscape, which is also part of the Settlement gap identified in the BPNP.</p>	<p>Agree with the LPA conclusion reached.</p> <p>As set out by the LPA in its comment below in relation to the LVIA conclusion paragraphs 12.1.2-1.2.1.5, there is currently a clear boundary to the build area in the vicinity of the site in the form of the Brixham Road. This has the benefit of sweeping rural views of the amazing AONB into routine journeys for local residents. This means the extent of which the surrounding countryside is can be enjoyed and appreciated by local residents is greatly enhanced which serves to inform local area character.</p> <p>The Neighbourhood Plan specifically seeks to draw build development away from the encroachment into these sweeping views, which have been formed through the historical retention of gaps between build developments, in the Settlement Gap policy. Equally the Housing Site Assessment part of the plan indicates where in the countryside in less sensitive locations future development might be located (e.g., the site known as Archery Field)</p> <p>The only Settlement Gap where the Dart Valley AONB features as part of the Settlement Gap is the one proposed to be blocked by the Appellants.</p>	At Dispute

				<p>The identification that the viewpoint is outside the AONB misses the point that the view shown would unlikely to be enjoyed by so many people. It is this impact to a wide spectrum of the public at a high visibility location that serves to magnify, not reduce, the scale of the impact.</p> <p>In submissions to the Inspector in the Churston Golf Course appeal where it was proposed to locate a golf clubhouse in a location which would take advantage of but in the process block what was referred to as an “iconic public view” it was submitted the public view was being stolen. The same analogy could apply here.</p>	
<p>RV14 Brixham Road, and Hookhills residents.</p>	<p>RV 14 – Representative View at approximately 80 m AOD, taken from the point where the upper (northern) footpath joins the A3022 on the western edge of the Goodrington residential area at about 20m east of the nearest site boundary.</p>	<p>High/Medium sensitivity, medium to low magnitude, moderate/substantial to minor a level of effect:</p> <p>Reducing over time to Moderate/ Substantial Adverse reducing to Moderate Adverse driving south, Minor Adverse travelling north</p>	<p>The development would obstruct residents’ panoramic views across the site towards high ground. A similar visual impact is identified for road users. The long distance views south west towards the AONB is recognised as a key characteristic of the North Galmpton AoLC and this section of Brixham Road is one of the few publicly accessible locations in the area where such views are obtainable.</p> <p>Travelling south there is a significant transition in landscape character as road users travel out of the built up area, over the ridgeline into the rolling farmland of the North Galmpton AoLC and Settlement Gap.</p> <p>Whilst the VVM for RV 14 shows buildings largely obscured when landscaping becomes established,</p>	<p>Agree with the LPA conclusion reached.</p> <p>Repeat Rule 6 Party comment as per RV13.</p>	<p>At Dispute</p>

			<p>the open nature of the landscape would be permanently changed. RED: The LPA disagrees with the LVIA. It considers the magnitude of effect to be High and the level of effect to be Substantial adverse and significant.</p> <p>Whilst not within the AONB, there would be a substantial impact upon the valued landscape, which is also part of the Settlement Gap identified in the BPNP.</p>		
RV15 Waddeton Lane (outside AONB)	RV 15 – Representative View at approximately 65 m AOD, taken from Waddeton Road through a gateway at about 500 m west of the nearest site boundary.	Note: Assessment changed in LVIA Addendum (March 2018). Medium sensitivity, High/Low (sic) magnitude of effect, Substantial/moderate adverse level of effect; reducing over time to minor adverse effect.	<p>Jacobs consider significant impact in year 1 reducing to not significant by year 10 when planting mitigation has become effective.</p> <p>The proposal represents an extension of the urban edge but relatively brief glimpses are obtained from Waddeton Lane.</p> <p>GREEN: The view is outside of the AONB. The LPA broadly agrees with the LVIA's assessment.</p>	<p>Disagree.</p> <p>The Appellants conclusion of “negligible” over the long term is not accepted.</p> <p>Any view or perspective of an advancing urban edge is considered a high magnitude effect. We further wish to check the impact in respect of taller vehicles and cyclists.</p>	At Dispute with BTC

<i>Near views from the south east and east –on the AONB boundary</i>					
Viewpoints	LVIA Description	LVIA Assessment *	LPA's assessment of visual impact (including Jacobs assessment from June 2018) where different to the LVIA	Rule 6 Party's Comments/ Assessment of Visual Impact	Agreed / At Dispute
RV16 Stoke Gabriel Road, edge of Waddeton	RV 16– Representative View at approximately 60m AOD, taken from the Stoke Gabriel Road which defines the AONB boundary, near the Waddeton Conservation Area Boundary, at about 600 m south of the nearest site boundary.	N.B Assessment changed in the LVIA Addendum (March 2018) to reflect amended scheme. . High to medium sensitivity, Low to negligible magnitude of effect, Minor adverse to negligible level of effect: reducing over time but remaining minor adverse to negligible.	Jacobs consider that the effect is largely neutral assuming the VVM is correct. The March 2018 revisions to the scheme appear to have reduced the impact on Stoke Gabriel Road. Although the development would be glimpsed in the valley system it appears that landscaping would obscure most built development from view. GREEN: The LPA broadly agrees with the LVIA's assessment.	Agree with the LPA's conclusion based only on desktop assessment. Site visit outside lockdown required	Agreed
Waddeton Conservation Area	Additional assessment in LVIA Addendum (2020)	High sensitivity to change, low magnitude of effect, minor adverse level of effect in	The LPA agrees that the impact upon the conservation area is significantly less than substantial. It has not been possible to rule out glimpses from non-public land within the CA.	Agree with the LPA's conclusion reached based on desktop assessment. Site visit outside lockdown required.	Agreed

		<p>construction phase. Reducing in operation phase to Minor Adverse/ Negligible reducing further to Negligible as planting matures.</p>	<p>GREEN: The LPA broadly agrees with the LVIA addendum</p>		
<p>RV17 Stoke Gabriel Road, approaching Galmpton</p>	<p>RV 17– Representative View at approximately 60m AOD, taken from the Stoke Gabriel Road which defines the AONB boundary at about 600 m south of the nearest site boundary.</p>	<p>N.B Assessment changed in the LVIA Addendum (March 2018) to reflect amended scheme. . High to medium sensitivity, Low to negligible magnitude of effect, Minor adverse to negligible level of effect: reducing over time but remaining minor adverse to negligible.</p>	<p>Visual impact is likely to be similar to VP16.</p> <p>GREEN: The LPA broadly agrees with the LVIA addendum (although it considers that the sensitivity is more likely to be high).</p>	<p>The sensitivity is considered high. Further comment not possible until post lockdown.</p>	<p>Unclear (BTC)</p>

<i>Near views from the north east of the road as the site is behind the ridge and therefore not visible—outside the AONB</i>					<i>Agreed / At Dispute</i>
Viewpoints	LVIA Description	LVIA Assessment *	LPA’s assessment of visual impact (including Jacobs assessment from June 2018) where different to the LVIA	Rule 6 Party’s Comments/ Assessment of Visual Impact	Agreed / At Dispute
RV18 Brixham Road, White Rock	RV 18 – Representative View taken from the A380, the Brixham Road opposite the road entrance to White Rock looking south	High/Medium sensitivity, medium to low magnitude, moderate/substantial to minor a level of effect: Reducing over time to Moderate/ Substantial Adverse reducing to Moderate Adverse driving south, Minor Adverse travelling north	VP is 1s not within the AONB and is taken from the built up area of White Rock. GREEN: The LPA broadly agree with the LVIA at this point.	Agree with the LPA’s conclusion reached. Albeit the comments are only accepted in relation to the viewpoint shown and not what is experienced in other places along the Brixham Road as referred to separately above.	Agreed

<i>Additional requested Middle distance views from the south from within the AONB</i>					
Viewpoints	LVIA Description	LVIA Assessment *	LPA’s assessment of visual impact (including Jacobs assessment from June 2018) where different to the LVIA	Rule 6 Party’s Comments/ Assessment of Visual Impact	Agreed / At Dispute
RV 19 Hook Bottom, Greenway trail.	Representative View, approximately 60m AOD, taken from the permissive path from Greenway Road looking north. Assessment of landscape impact on particular Vantage Points	Note: LVIA Addendum (2018) has reassessed the operation phase impact. High sensitivity, low magnitude of	If the Montages accurately reflect the effect of landscaping, then the development appears to be screened by year 10 (assuming that planting is effective).	Disagree. The Appellants conclusion of “minor” or “negligible” over the long term is not accepted. Development is alien to the existing countryside view enjoyed at this “iconic” location.	At Dispute

		effect. Minor adverse effect in construction phase reducing to Minor Adverse to Negligible in operation phases.	AMBER: However, there is likely to be a short term impact. The location is iconic and has high sensitivity.		
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Table 7: Position on Landscape Receptors (LR)

Landscape Receptor (LR)	LVIA conclusion	LPA position	BTC position	Agreed / At Dispute
LR1a The Rolling Farmed Landscape	Medium sensitivity, medium to high magnitude, moderate adverse level of effect reducing to medium magnitude, moderate adverse level of effect	Landscape receptor 'LR1a' is a character area defined by the appellant and not a published source of landscape character. As explained at LVIA paragraph 4.1.14, the site lies wholly within the Torbay AoLC: '10 North Galmpton' within Landscape Character Type 1 Rolling Farmland. The overall sensitivity of the North Galmpton AoLC is assessed in Part 2 of the Torbay Landscape Character Assessment as highly sensitive; Notwithstanding the magnitude assessed in the LVIA (no magnitude assessment criteria have been provided), the LPA considers that there would be a significant adverse effect on the landscape character of the North Galmpton AoLC as a result of building 373 new dwellings on this large, elevated and relatively open site. The LVIA assesses a moderate adverse level [significance] of effect on the Rolling Farmed Landscape after taking into consideration sensitivity and magnitude but does not consider the effect to be significant. However, the LPA notes that it is generally considered standard practice to consider a significance of effect of moderate or above to be significant. RED: The LPA disagrees with the LVIA. It considers that there would be a	As per LPA.	At Dispute

Landscape Receptor (LR)	LVIA conclusion	LPA position	BTC position	Agreed / At Dispute
		significant adverse effect on local landscape character.		
LR1b The Valley Side Landscape with Waddeton Conservation Area	High sensitivity, low magnitude of change, minor adverse negligible. Reducing to negligible over time.	Landscape receptor 'LR1b' is a character area defined by the appellant and not a published source of landscape character. Refer to LPA position above for effects on the landscape character of the site, by reference to the North Galmpton AoLC (published source of local landscape character). The LPA considers that there would be a significant adverse effect on the landscape character of the North Galmpton AoLC. RED: The LPA disagrees with the LVIA. It considers that there would be a significant adverse effect on local landscape character.	As per LPA.	At Dispute
LR2 The Brixham Rd	Medium sensitivity to change, medium to high magnitude, moderate to substantial adverse level of effect. Reducing to low magnitude over time minor adverse level of effect.	A Landscape receptor 'LR2' is a character area defined by the appellant. Not considered a relevant landscape receptor. Brixham Road Corridor is not considered to be a landscape character in its own right. The effect on the settlement gap and views from Brixham Road and adjoining residential properties are addressed in Table 6 dealing with visual impact.	As per LPA.	At Dispute
LR3 Urban Edge Goodrington/Galmpton	Medium to low sensitivity to change, medium to low magnitude of change moderate to minor adverse/minor	Landscape receptor 'LR3' is a character area defined by the appellant and not considered a relevant landscape	As per LPA.	At Dispute

Landscape Receptor (LR)	LVIA conclusion	LPA position	BTC position	Agreed / At Dispute
	adverse. Reducing to negligible magnitude and negligible level of effect over time	receptor; Effects on residents' views are considered in Table 6 dealing with visual impact.		
LR4 The local AONB landscape as a whole within the study area	Medium to high sensitivity, medium to low magnitude of effect, moderate to minor adverse level of effect.. Reducing medium/ low becoming low magnitude and minor adverse becoming negligible level of effect.	There is no development within the AONB itself and therefore the effects on the AONB arise from the development in its setting. (Refer to Table 6 for the LPA's position on visual effects relating to the setting of the AONB from representative viewpoints within the AONB.) RED: The LPA disagrees with the LVIA. It considers that there would be a significant adverse effect on the setting of the AONB.	As per LPA.	At Dispute
LR5 The local landscape 3B as a whole outside the AONB	Medium sensitivity, medium to low magnitude of change minor adverse level of effect. Becoming low to low/negligible magnitude and minor adverse level of effect becoming minor adverse/negligible adverse over time.	Landscape of the site changed from rural farmland to residential development, with consequent loss of open panoramic views towards the AONB noted above, erosion of the settlement gap and indirect effects on adjoining landscape character. Red: Part of the local landscape outside the AONB is an important component of the Settlement Gap between Galmpton and White Rock.	As per LPA. The loss of an entire settlement gap, which currently fulfils an important functional role informing local landscape character by providing an outstanding view of the River Dart AONB valley at a point of high public visibility is a demonstrably severe impact.	At Dispute
LR6 Waddeton Conservation Area	High sensitivity to change, low magnitude of effect, minor adverse level of effect in construction phase.	Agree with the LVIA	As per LPA.	Agreed

Landscape Receptor (LR)	LVIA conclusion	LPA position	BTC position	Agreed / At Dispute
	Reducing in operation phase to Minor Adverse/ Negligible			

Table 8 Conclusion on Landscape and Visual Effects

	LVIA and Deeley Freed Position	LPA	R6	Agreed / At Dispute
12.1.1 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.	<p>The LPA has considered a range of reports and views in relation to landscape impact. It considers that there are three principal clusters of representative viewpoints where the visual impact would be substantial and adverse, with consequential harm to the character of the wider landscape:</p> <ol style="list-style-type: none"> 1) Views from public rights of way within the AONB south-west of the Dart across to the setting of the AONB (Viewpoints 5, 6, 7). 2) Views from public rights of way within the AONB looking over part of Galmpton (Viewpoints 8-9) 3) Views from Brixham Road (not AONB) across the rolling farmland/Settlement Gap towards the AONB (especially VPs 13 and 14). 	<p>The Rule 6 Party broadly agrees with the LPAs conclusion reached, but as set out above considers the observation that the Brixham Road itself outside the AONB to be irrelevant and detract from the fact that it is a prominent view receptor where thousands of residents daily experience the view.</p> <p>Same cannot be said of many other viewpoints.</p> <p>This directly informs local area character and the way the Neighbourhood Area of the plan as a whole is perceived.</p>	At Dispute
12.1.2 Visual Effects: Residents, Road Users and Users of the PRow as	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	<p>Whilst the most severe visual impacts are from a relatively small number of visual receptors, there would be significant residual adverse visual effects from iconic panoramic viewpoints in the AONB.</p> <p>Although the Brixham Road and Hookhills viewpoints are not AONB, the effect on views for</p>	<p>Agree strongly with the LPA's conclusion reached.</p> <p>The impact is both from viewpoints in the most special and most tranquil parts of the AONB itself as well as the more commonly experienced viewpoints referred to above.</p>	At Dispute

visual receptors	adverse are slight and do not change the nature of the view.	road users and residents is significant, and a large number of road users will be affected.		
The Local AONB within the study area as a whole as a visual receptor 12.1.2-1.2.1.5	<p>The site does not lie within the AONB.</p> <p>It lies within the landscape between the AONB and the urban edge of Torbay. This urban edge is a recognised part of the wider landscape of the AONB in the AONB Management Plan. The site represents a comparatively small addition to this edge. Substantial new planting, (as detailed in the Green Infrastructure Parameter Plan and managed by a management company) will integrate the new urban edge into the surrounding rural landscape.</p> <p>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.</p>	<p>The site is not within the AONB but is within its setting.</p> <p>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 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.</p> <p>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. Furthermore, the elevated nature of some iconic viewpoints within the AONB is such that proposed planting mitigation would be ineffective; Even after allowing time for planting to mature, the proposed development would remain a noticeable intrusion into the setting of the AONB, for example, as shown in the VVM for RV 6a.</p>	<p>Agree strongly with the LPA's conclusion reached.</p> <p>However the Rule 6 Party suggests the sentence "There is no 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." could be modified for clarity.</p> <p>As set out above, there is currently a very logical boundary to the urban area in the form of the Brixham Road and the Neighbourhood Plan has sought to retain this boundary through specific policies given its critical importance in informing local area and wider Neighbourhood Area character.</p> <p>Should the settlement gap be blocked through the development, there would indeed be no logical end to the urban extension which would in the view of the Rule 6 Party in due course extent over adjacent areas such as the Car Boot field and further towards the Dart Valley itself.</p>	At Dispute

	It is judged that the development, with the substantial new planting, will not significantly affect the visual context of the AONB nor the views available from the AONB.			
12.1.6 Cumulative Effects	Although there are cumulative effects on both the local landscape including the AONB as a landscape receptor and on some local views and the AONB as a visual receptor, it is judged that they would not be significant.	There is highly likely to be significant cumulative effects with the latter phases of White Rock development, including the EPIC Centre and floodlit sports pitch. These were not built out when the 2017 LVIA was carried out, although they are noted in the 2020 LVIA Addendum.	Agree with the LPA's conclusion reached.	At Dispute
Overall Conclusion				
12.1.7	During construction or immediately following construction and the early stages of operation, any temporary disruption to views afforded to landscape and visual receptors in the wider study area would not outweigh long-term mitigation of such views.	<p>There would be significant disruption to views in the construction phase and beyond.</p> <p>Due to the elevated nature of many views from within the AONB, the proposed planting mitigation would not effectively screen views of the proposed development.</p> <p>Planting can mitigate some views but will change the character of this part of the AONB's setting to the detriment of the special qualities of the AONB when viewed from key public vantage points.</p>	Agree totally with the LPA's conclusion reached.	
1.2.1.8	During operation, there will be some landscape and visual effects that cannot be fully mitigated. However	Noted. The LPA considers that there will be significant effects that cannot be fully mitigated. These are not just local to the site but affect a number of key AONB public vantage points.	<p>Broadly agree with the LPA's conclusion reached.</p> <p>However the number of vantage points effected is not considered relevant such</p>	

	these are very local to the site.		is the importance of the viewpoints which are effected in informing local area and wider Neighbourhood Area character.	
12.1.9	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 .	<p>The LPA accept that when planting becomes established the adverse effects will be reduced somewhat from some views. However, significant adverse residual effects on the setting of the AONB would remain.</p> <p>Even with planting, the character of the area will change from open farmland to residential. This will be readily apparent from key AONB vantage points where development will be inserted into iconic panoramic views. The LPA does not consider that these would blend in with the existing urban edge of Torbay but would obtrude onto the upper valley slopes of the River Dart and harm the AONB setting.</p> <p>The Settlement Gap between White Rock and Galmpton would be significantly diminished.</p> <p>The LPA consider that these long term effects are significant.</p>	<p>Broadly agree with the LPA's conclusion reached.</p> <p>It is specifically agreed "development will be inserted into iconic panoramic views".</p> <p>The Settlement Gap between White Rock and Galmpton would not just be "significantly diminished" but rather rendered null and void and all other Settlement Gaps open to obvious similar destruction.</p>	At Dispute
LVIA Addendum (2018) 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. However the overall LVIA conclusion	<p>The LPA agrees that the March 2018 revisions to the scheme reduce the visual impact, principally in relation to Waddeton and Stoke Gabriel Road. However, the overall effects of the development would not be beneficial in landscape and visual terms and the reduction of visual impact upon the wider AONB viewpoints is considered to be marginal.</p> <p>Jacobs's June 2018 assessment of the visual impact of the proposal was based on the revised (March 2018) proposals rather than the earlier 2017 submission.</p>	Broadly agree with the LPA's conclusion reached.	At Dispute

	remains valid (as above).			
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6.0 Methodological issues

- 6.1 Table 9 deals with methodological questions where the LPA and R6 have requested clarification. The appellant has endeavoured to answer these queries by reference to submitted documents. It is hoped that agreement can be reached on most of these technical, methodological issues in advance of the Inquiry..

Table 9 LVIA Methodological Matters.

LPA Comment/issue	Brixham Town Council issue	Abacus Deeley Freed Comment	Agreed / At Dispute
The VVMs are no substitute for seeing the viewpoints on site.	Broadly agree with the LPA's conclusion reached.	Agreed that site visits are important in order to gain an understanding of the potential effect of the proposals.	Agreed
VVMs may underplay the actual impact on more distant panoramic viewpoints (e.g. Fire Beacon Hill).		The VVMs have been prepared in accordance with best practice guidelines and are as fair and accurate a representation as is possible with current techniques and processes.	At Dispute
<p>Clarification is sought about assumptions made on the VVMs, including building heights. It is assumed that the VVMs are modelled on the March 2018 Design and Access Statement and the Urban Design Regulatory Plan.</p> <p>Without clarification the LPA must assume that the VVMs represent a best case scenario (rather than a worse case) from a visual impact point of view from building heights, roofscape, etc.</p>	<p>Broadly agree with the LPA's conclusion reached.</p> <p>Without clarification, and given the evolving nature of the outline scheme, it is assumed the development which may ultimately subsequently come forward for detailed approval will differ from that in the VVMs.</p> <p>Notwithstanding the general clarification sought, BTC are unclear whether it is proposed that the specific VVM model inputs so far set out in correspondence are proposed to be attached to any consent granted.</p>	<p>Building heights: Buildings are as the proposed illustrative masterplan (rev A) and Urban Design Framework Rev A. Digital 3D models of building locations and each building type were used to construct the images. These were then set to the existing levels of the site. This model with associated building heights was used to prepare the photomontages.</p> <p>The following data is from the model;</p> <ul style="list-style-type: none"> • The highest (ground) level of any building is: 68.6m AOD • The highest ridge level of any building is: 78.73m AOD (the pub by the roundabout) • The tallest building is: 12.90m (the apartment block) <p>Drawing NPA 10874 401 rev P01 provides detail of the building ridge levels related to AOD as used in the construction of the VVMs. (Appendix 4 of this position statement).</p>	<p>Torbay Council notes the assumptions made to prepare the VVMs.</p>

<p>Torbay Council query the planting growth rates assumed for VVMs; (5m growth not realistic after 5 years and assumed 7 – 9m after 10 years may be over optimistic given the elevated and exposed site location).</p>		<p>Planting Growth Rates: As LVIA Appendix IV Addendum (2020): Year 1 (4.5-5.5m) - represents tree growth after 5 years to take account of proposed development phasing. Year 10 (7-9m) - represents tree growth after 15 years to take account of proposed development phasing.</p>	<p>At Dispute</p>
<p>Confirmation is sought on the maximum Above Ordnance Datum (AOD) heights for the main groups of buildings– and confirmation that these heights have been used to prepare the photomontages. (Groundworks to provide level building platforms could notably increase (or decrease) actual building heights in some areas.)</p>	<p>Broadly agree with the LPA's conclusion reached.</p>	<p>See methodology noted above. The application is in outline. Layouts and VVMs are illustrative at this point, and are based on the the illustrative masterplan and parameters set in the Urban Design Framework.</p>	<p>Torbay Council notes that parameters in the Urban Design Framework do not define building heights.</p>
<p>With regard to building design (stone facing, roof type etc.) the appellant should demonstrate commitment to any mitigation relied upon for assessment purposes, including that shown in photomontages.</p>	<p>Broadly agree with the LPA's conclusion reached.</p>	<p>The application is in outline. Detailed design and approval of materials will be dealt with as a reserved matter. The submission documents are a basis for further detailed design. The LEMP, Green Infrastructure Strategy, Urban Design Framework and Farm Management Plan form part of the application and it is anticipated that consent will be conditional on compliance with the detail contained therein.</p>	<p>Torbay Council notes that the LEMP, GI Strategy and Urban Design Framework will be referred to in conditions/s106 agreement.</p>

<p>Clarification is sought on which documents have informed the LVIA and VVMs.</p>	<p>Broadly agree with the LPA's conclusion reached.</p> <p>As set out above, BTC are unclear whether the VVM model inputs actually reflect the parameters of the outline scheme for which consent is sought.</p>	<p>A list of technical references and sources of baseline information sources is included in the submitted LVIA (2017) is at pp 107-110. The updated VVMs (2020) were prepared in line with Landscape Institute Technical Guidance Note TGN 6/19 (see LVIA Appendix 2 Addendum). The LVIA and VVMs (including addenda) were prepared based on the current submitted proposals as contained within the context masterplan, design and access statement and urban design framework. The LVIA Appendix (iv) Visually Verified Montages Methodology (NPA 2020) sets out the technical detail behind the Montages submitted in January 2020, upon which the LPA reached its decision.</p> <p>The LVIA (including changes in assessment detailed in the LVIA addendum) have been informed by the proposed illustrative masterplan (rev A: drawing 15230_P_010_Feb 2018), Urban Design Framework Rev A, Green Infrastructure Parameter Plan (Drawing 15230_P_010_March 2018) as noted in chapter 2 of the LVIA Addendum, March 2018. The VVMs (LVIA addendum January 2020) are based on the same information and have been updated to reflect the current situation in relation to surrounding developments.</p>	<p>Issue misunderstood; Confirmation was sought by Torbay Council on what design drawings and other data have been used to inform the assessment. However, confirmation is now provided in the applicant's responses.</p>
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<p>Criteria used to determine the magnitude of landscape and visual impact needs to be set out more clearly (None are provided in the applicant's LVIA).</p>	<p>Broadly agree with the LPA's conclusion reached.</p>	<p>LVIA Appendix 1 (pp1/8 – 1/15) sets out the approach to determining magnitude of change and overall effect of landscape and visual effects. Tables A and B summarise the descriptors for levels of effect and example definitions – with reference to both sensitivity and magnitude of change.</p> <p>Landscape and visual effects are described in the text of the LVIA, with tables containing a summary of conclusions (LVIA tables 3, 4a, 4b, 4c, App 1 LVIA Addendum 2018 CD2.22)</p> <p>The approach follows the approach recommended in GLVIA3 in that emphasis has been put on narrative text to describe effects and their significance, with tables and matrices used to support rather than replace text. (GLVIA3 para 3.36, 8.10).</p> <p>Appendix 2 of this position statement has set out the criteria noted above in a tabular format.</p> <p>In order to arrive at a judgement on magnitude of change, 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.</p>	<p>Torbay Council notes the magnitude criteria provided in Tables A to D of Appendix 2 of this position statement.</p>
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<p>Criteria/ methodology for determining the level of significance considered to be significant in EIA terms needs clarification, including how the sensitivity of receptors is considered in relation to the magnitude of effect to determine when an effect is significant/ not significant.</p>	<p>Broadly agree with the LPA's conclusion reached.</p>	<p>LVIA 2017 App1 pp1/15 – 1/19 sets out the criteria for determining significant effects. Section 10 of the LVIA (2017) summarises the overall significance of landscape and visual residual effects, section 11 (paras 1.1.40-11.1.42) summarise significance of cumulative effects. The approach taken in in line with GLVIA3 Section 10.1 of the 2017 LVIA sets out the method for determining significance. It follows the “overall profile” approach, whereby individual judgements are combined to make an overall assessment of significance. It is an acceptable approach GLVIA3 paras 3.30 and 5.55.</p> <p>The methodology used for assessing landscape and visual effects is set out in Appendix 1 of the submitted LVIA¹. Table LC.4 of Appendix 1 of the LVIA lists the criteria that are used for determining the significance of effects and the text within para 10.1.1 within the LVIA refers back to these criteria when setting out the reasons for concluding that the overall landscape effects will not be significant. Similarly, the criteria within Table V.4 are used within the text outlining the reasons for concluding that the overall visual effects will not be significant.</p>	<p>Torbay notes the clarification that Table LC.4 and Table V.4 of Appendix 1 of the LVIA was used as the basis of determining the significance of landscape and visual effects because Appendix 1 of the LVIA (para 1.11.2) or para 10.1.1 of the LVIA is not clear on this issue.</p>
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¹ Submitted LVIA, October 2017, NPA Appendix 1 pp 1/16 – 1/19
Table LC4

<p>To the extent that countryside access is being suggested as mitigation for other landscape effects, clarification is sought of whether the proposal makes provision for any wider countryside access beyond that required in the 2014 S106 Agreement for White Rock. The LPA understands that Inglewood provides an on-site perimeter walk and northern access route, which links to the wider countryside access route, but does not propose any additional wider countryside access beyond that required for White Rock.</p>	<p>Broadly agree with the LPA's conclusion reached.</p>	<p>Proposed Countryside access is contained wholly within the red line boundary of the application site running around the periphery of the proposed developed areas. A link to the countryside access route provided by the White Rock development (as secured through the S106 agreement) is to be provided along the northern boundary of the site. Fig 5 of the March 2018 LEMP rev A indicates the extent of access proposed. (See Appendix 3 of this document)</p>	<p>Torbay Council notes the applicant's response.</p>
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	<p>Clarification is sought on the extent to which the Neighbourhood Plan informed the approach taken in the LVIA. For example were features, views or vistas which the local community marked out as special accounted for in the LVIA in contrast to other areas which the community did not mark out as special?. As further example, as the text to Policy E6 specifically refers to the River Dart when weighting impacts how did the LVIA consider what other “very high footfall” public views provided views of the River Dart.</p>	<p>The LVIA referenced the draft neighbourhood plan at the time it was written. Viewpoints were selected to test the proposal against specific plan policies: VPs 13 and 14 reflect the vantage point as identified in policy E6. VP11 is a view over the settlement gap as policy E3</p>	<p>Torbay Council notes the applicant’s response.</p>
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Map 1 Agreed Viewpoints in the LVIA



Appendix 1 Relevant Development Plan Policies

Torbay Local Plan 2012-30 (Adopted December 2015)

Policy SS8 Natural environment

All development should have regard to its environmental setting and should positively contribute to the conservation and enhancement of the natural assets and setting of the Bay.

The Council will safeguard, conserve and enhance the valued qualities, features and attributes of sites protected under European legislation and other important natural landscape, including tranquillity, dark night skies, bathing waters, biodiversity and geodiversity within the Bay, commensurate with their importance. This will ensure that:

1. Sites, species and habitats protected under European, or equivalent, legislation will be protected from development. Development around the edge of the built-up area will be required to protect and manage wildlife and habitats, including corridors between them, in accordance with Policy NC1. Particular attention must be paid to Greater Horseshoe Bat flight paths, and Cirl Buntings.
2. Within the Area of Outstanding Natural Beauty (AONB), the conservation of the landscape and scenic beauty, biodiversity and geodiversity will be given great weight and afforded the highest status of protection. Development will only be permitted in exceptional circumstances where it can be demonstrated to be in the public interest. Planning applications should include an assessment of need for the development, economic impacts, alternative means and locations of provision, the impacts of the proposal on the environment, landscape and recreation, and the extent to which impacts could be moderated;
3. Development proposals outside of the AONB will be supported where they conserve or enhance the distinctive landscape character and biodiversity of Torbay or where the impact of development is commensurate with the landscape and ecological importance. However, it will be particularly important to ensure that development outside the AONB does not have an unacceptable impact on the special landscape qualities of an adjoining or nearby AONB or other valued landscapes such as country parks. 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; and
 4. The Council will, in considering major planning applications, seek long term land management practices to maintain or restore landscapes, greenspace, dark corridors. and amenity open spaces, integrating biodiversity and green infrastructure objectives including

improved public access. If development impacts adversely upon biodiversity, geodiversity or countryside management, developer contributions and mitigation measures will be required to improve management or enhancement of the natural environment with a goal of achieving a net gain in biodiversity.

Policy SS9 Green infrastructure

The Local Plan seeks to integrate new development with strategic green infrastructure, and to protect and provide high quality green space at a local level.

Developments will be assessed against their ability to deliver high quality green infrastructure or contribute to the enhancement of the green infrastructure network. This assessment will seek to ensure that the following criteria are met, proportionate to the scale of development proposed:

- a) A green infrastructure-led approach is followed in planning for and design of new development that considers the landscape context and relationship to existing and proposed green infrastructure assets and their functions;
- b) Multifunctional and connected space with a range of mutually compatible functions is provided where practicable;
- c) Public open space and public access are considered at an early stage and form a key driver for the layout of development schemes;
- d) The safety, amenity and use of public open space, access routes and green corridors (including urban wildlife corridors) is considered, and schemes are designed to encourage community integration, civic pride and access for all;
- e) Where necessary, green infrastructure should be designed to mitigate for loss of foraging habitat and/or linear features used as flyways by Greater Horseshoe Bats where the features lost contribute to the integrity of the South Hams SAC; and
- f) Maintain existing and contribute to new tree planting and woodland creation.

Existing and proposed green infrastructure, including country parks, the strategic footpath network and the South West Coast Path, will be protected and managed to safeguard the asset. Developments will be required to make contributions proportionate to their scale for the protection, management and improvement of green infrastructure. Existing and new Geopark Access Hubs will be supported.

New Country Parks are proposed in the following locations:

1. Maidencombe, Torquay
2. Great Parks, Paignton

A new Countryside Access and Enhancement Scheme will be delivered at:

3. White Rock, Paignton

The Council will work with landowners and the community to secure green infrastructure links between Great Parks, Collaton St Mary and White Rock.

Policy SDB1 Brixham Peninsula

Brixham will accommodate appropriate but limited new growth. A range of developments will be sought to sustain a viable retail function, maintain an appropriate range of community facilities and meet local housing and employment needs. Brixham's role as a fishing port and resort, with a nationally important and historic working and creative harbour, will be enhanced. Development will include a new Northern Arm Breakwater and improved water-borne transport facilities to support Brixham's regeneration and prosperity. The historic character, outstanding natural setting, and internationally important biodiversity value of the town and its setting will be safeguarded and enhanced.

Brixham is expected to provide sufficient land to enable delivery of at least 2,700 square metres of employment floorspace and 660 new homes over the Plan period.

Such development will only be acceptable if it can be accommodated without prejudicing the integrity of the Area of Outstanding Natural Beauty and Special Areas of Conservation, and provided that the interests of priority species, such as the Greater Horseshoe Bat and Cirl Buntings, can be safeguarded. Greater Horseshoe Bat mitigation measures will be required as recommended by the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

Mitigation measures for the wider SDB1 strategic delivery area include:

- 1) protection and management of existing trees;
- 2) retention of former hedge lines, managed as part of the development;
- 3) no increase in lighting in bat flyways to greater than 0.5 lux; and
- 4) reduction of the impact of additional recreational pressure on the SAC.

The expected delivery, pace and sequence of delivery are set out in Tables 17 and 18 below and Policies SDB2 and SDB3. Policy W5 is also relevant.

Policy SDB3 Brixham Urban Fringe and Area of Outstanding Natural Beauty

The Area of Outstanding Natural Beauty around Brixham, including Berry Head National Nature Reserve, St. Mary's Bay and the wider Brixham urban coastal fringe, will be conserved and enhanced to protect its intrinsic landscape and biodiversity value, and for recreational and tourism purposes.

Development in this sensitive location should adhere to planning guidance for Greater Horseshoe Bats within the South Hams SAC. Adequate mitigations should be provided, in accordance with the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan)(2014), that ensure:

- i) there are no further restrictions on potential movement of Greater Horseshoe Bats along the strategic flyway through the area; and
- (ii) the retention and enhancement of foraging and on-site roosting opportunities.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Development should seek to enhance existing green infrastructure assets, create new assets and provide improved connectivity between individual assets.

Developments within the Brixham Urban Fringe area should comprise a mix of suitable uses to meet the key requirements specified below, in the context of the Brixham Urban Fringe Study (2011) as set out in Tables 21 and 22 below.

Policy C1 Countryside and the rural economy

In the open countryside, away from existing settlements, and in rural areas surrounding the three towns of Torbay, development will be resisted where this would lead to the loss of open countryside or creation of urban sprawl, or where it would encourage the merging of urban areas and surrounding settlements to the detriment of their special rural character and setting.

6.1 Major new development should focus on Future Growth Areas in the Strategic Delivery Areas set out in the Key Diagram, consistent with the ambition and policies of the Local Plan. Otherwise, development outside the main urban areas and Strategic Delivery Areas will normally only

be permitted within the established boundaries of villages and hamlets, provided that it is of an appropriate modest scale and consistent with relevant Local Plan Policies, including those relating to landscape, recreation, biodiversity, design and conservation. Suitable infill development, refurbishments and conversions will be permitted within these settlements in order to meet the day-to-day needs of local communities, to promote the retention and development of local services and to help maintain their sustainability. Village Envelopes in Maidencombe and Churston/Galmpton are defined on the Policies Map. The Landscape Character Assessment referred to is the Torbay Landscape Character Assessment Part 2 (Enderby Associates 2010).

Outside settlement boundaries, the following forms of development may be permitted, provided that the rural and landscape character, wildlife habitats, green corridors and historic features are not adversely affected and necessary mitigation measures are carried out to minimise any harm to the environment:

1. New homes for which there is a proven agricultural need, or self-build affordable housing where acceptable under Policy H3;
2. Development required for forestry, horticulture or agriculture;
3. Touring caravans and tents;
4. Tourist facilities appropriate to the rural area;
5. Development associated with outdoor sport and recreation appropriate in a rural area;
6. Sensitive conversion, alteration and extension of existing buildings;
7. Essential improvements to the highway network; and
8. Appropriate renewable energy development.

Where new development proposals come forward, the Council will also have regard to the need to protect, conserve or enhance the distinctive landscape characteristics and visual quality of a particular location, as identified in the Torbay Landscape Character Assessment, the suitability of development and the capacity of the countryside to accommodate change. Development in the countryside should not have adverse effect on the integrity of the South Hams SAC or other important habitats. It should also have regard to Policy NC1 to assess the in-combination effects of multiple developments that could affect Greater Horseshoe Bats and the integrity of the South Hams SAC, and the scope for developer

contributions to mitigate the impact of increased recreational pressure on the South Hams SAC. The Countryside Area is shown on the Policies Map.

Brixham Peninsula Neighbourhood Plan (BPNP) (Made June 2019)

E1 Landscape beauty and protected areas.

E1.1 The natural beauty, landscape character, tranquillity and biodiversity of the Brixham Peninsula, as set out in the Design Statements (Policy BH5), the Landscape Character Assessment²⁸ or the Brixham Urban Fringe Landscape Assessment²⁹ will be preserved and enhanced. New development will respect these qualities and wherever possible enhance them.

E1.2 The internationally designated Special Area of Conservation (SAC), the nationally designated National Nature Reserve (NNR) or Area of Outstanding Natural Beauty (AONB), and the locally designated Undeveloped Coast (Local Plan Policy C2) or Countryside Area (Local Plan Policy C1) will all be protected. The English Riviera Global Geopark will be protected to ensure the retention of the area's status as an urban geopark. As a minimum, prevailing international, national and local policies will be applied.

E1.3 Development within or impacting on the AONB must demonstrate that great weight has been given to conserving and enhancing landscape and scenic beauty and must comply with the requirements of the National Planning Policy Framework³⁰ and other statutory documents including the AONB Management Plan^{31,32,33}.

E1.4 Priority will be given to protecting and enhancing the countryside from inappropriate development in accordance with Policy C1 of the Torbay Local Plan.

E1.5 Development should not harm protected landscape characteristics including dark night skies and tranquillity.

²⁸ Landscape Character Assessment of Torbay, Enderby Associates, May 2010.

²⁹ Brixham Urban Fringe Landscape Study, Enderby Associates, September 2011.

³⁰ National Planning Policy Framework 2012, paragraph 115.

³¹ Planning for the South Devon AONB: Planning Guidance Version 1.

³² Non-statutory Report: AONBs and Development, National Trust, September 2015.

³³ Non-statutory Report: Development in and Affecting Areas of Outstanding Natural Beauty, Green Balance for National Trust, September 2015.

E2 Settlement boundaries.

E2.1 Settlement boundaries are defined by this Neighbourhood Plan for the respective settlements of the Town of Brixham and the three villages of Churston, Galmpton and Broadsands. These boundaries are shown in the Policy Maps (Document 2).

E2.2 Subject to compliance with the other policies of this Neighbourhood Plan, proposals for sustainable developments within settlement boundaries will be supported where developments demonstrate good design and follow the guidance in the relevant Design Statement (Policy BH5).

E2.3 Development outside settlement boundaries will need to meet the criteria in Torbay Local Plan Policy C1.

The settlement boundary relevant to the Inglewood site is shown on the BPNP Policies Map pages 10 and 12 and the overall “key” Map. The Inglewood site is outside the settlement boundary.

E3 Settlement gaps.

E3.1 Settlement gaps have been defined between Paignton, Galmpton, Churston and Brixham. They are shown at [Appendix 3](#) and on the Policy Maps (Document 2). Countryside around Brixham is largely AONB (Policy E1 at para E1.3). Settlement Gaps relate to areas outside of the AONB where the countryside which forms the “gap” is Undeveloped Coast (Local Plan Policy C2) or Countryside Area (Local Plan Policy C1).

E3.2 Within the settlement gaps development proposals must meet the criteria set out in Policy C1 of the Torbay Local Plan. No development that visually and or actually closes the gaps between these urban areas will be supported.

The settlement gap area is shown on the BPNP Policies Map pages 10 and 12 and the “key” Map. The Inglewood site is shown within settlement Gap E3.1 and the photo on page 103 of the Plan “View across to the Dart and Dart valley AONB” is indicated as being taken across the appeal site.

E6 Views and Vistas. Seeks to protect views and vistas, including those to and from the River Dart.

“Views and vistas, particularly those to and from the sea or the River Dart, public views of the townscape, seascape, landscape and skyline that are valued by residents and visitors alike. Examples of such views are given in the Brixham Town, Churston,

Galmpton and Broadsands Design Statements (Documents 6, 7, 8 and 9); the Landscape Character Assessment and the Brixham Urban Fringe Landscape Assessment. Proposals for developments which affect these views and vistas should demonstrate that landscapes are safeguarded with their importance and be accompanied by a visual impact assessment appropriate to the size and scale of the proposal”.

Appendix 2: Summary of criteria used to assess Sensitivity and Magnitude of Change in LVIA

Landscape Sensitivity (from LVIA APP1 paras 1.8.1 – 1.8.5)

Landscape sensitivity is determined by consideration of both the **susceptibility** to change and the **value** placed on the landscape resource, as follows.

Value of a landscape receptor depends on a variety of considerations including international, national or local designation, its contribution to a community or its cultural significance e.g. landscapes reflected through literature, poetry, art etc.

Susceptibility of landscape receptors is defined as *“the ability of the landscape receptor... to accommodate the proposed development without undue consequences for the maintenance of the baseline situation”* (LI and IEMA 2013: 88-9).

The level of **sensitivity** of the landscape receptor is determined through professional judgement in balancing together the value described and the susceptibility to change. Sensitivity is recorded on a verbal scale of High, Medium and Low. Where intermediate ratings are given, e.g. “Medium-Low”, this indicates a sensitivity that is both less than Medium and more than Low.

Set criteria are not necessarily provided for the determination of overall levels of sensitivity since GLVIA3 (para 5.46, p90) recognises that: *“there can be complex relationships between the value attached to landscape receptors and their susceptibility to change which are especially important when considering change within or close to designated landscapes. For example:*

An internationally nationally or locally valued landscape does not automatically, or by definition, have high susceptibility to all types of change.

It is possible for internationally, nationally or locally important landscape to have relatively low susceptibility to change resulting from a particular type of development in question, by virtue of both the characteristics of the landscape and the nature of the proposal.

The particular type of change or development proposed may not compromise the specific basis for the value attached to the landscape.

Visual Sensitivity (from LVIA APP 1 Paras 1.8.6 – 1.8.10)

1.8.6 As with Landscape sensitivity, visual sensitivity is determined by consideration of both the susceptibility to change and the value placed on the view or visual resource.

1.8.7 The Value of a view experienced by a receptor group, or its visual amenity depends on a variety of considerations including international, national or local designation/recognition, its contribution to the visual amenity of a community or its cultural significance e.g. views recognised through the arts etc.

1.8.8 The Susceptibility of visual receptors is considered to be a “function of the occupation or activity of people experiencing the view at particular locations; and the extent to which their attention or interest may therefore be focused on the views and the visual amenity they experience at particular locations”¹⁰ (LI and IEMA 2013: 113).

1.8.9 Value and Susceptibility are considered together to provide a reasoned judgement on the overall level of sensitivity of the visual context and views from the visual receptor group. This is set out on a verbal scale of High, Medium, Low and Negligible. Higher sensitivity is more likely

to occur with increasing value and/or susceptibility to change. Lower sensitivity is more likely to occur with reduced value and/or susceptibility to change.

1.8.10 Where intermediate ratings are given, e.g. “Medium-Low”, this indicates a sensitivity that is both less than Medium and more than Low.

Magnitude of Change

*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.*

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. (from LVIA APP1 paras 1.8.11 – 1.8.12)

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. (from LVIA APP1 para 1.8.13)

Each of the factors used in the assessment of magnitude (scale of change, geographical extent and duration) are combined in the text and tables describing the effects of the proposal on landscape receptors, in order to arrive at a judgement on magnitude of change. (submitted LVIA ch7 CD 1.22, LVIA addendum ch5 CD 2.22). Example definitions relating to scale of change, geographical extent and permanence are included in the table of descriptors for the levels of effect at table A of the LVIA APP1 (p1/9). Tables A to D below separate out the definitions relating to the three areas (scale, geographical extent, permanence).

Table A

Size/Scale of Change; Landscape Effects (from LVIA APP1 p1/9 table A).

	Size / Scale of Change. Development would:
Substantial Adverse	Be at considerable variance with the character of the landscape/ townscape. Degrade or lose the integrity of characteristic features or elements; Damage or lose the sense of place or local distinctiveness of the area;

	Size / Scale of Change. Development would:
Moderate Adverse	Conflict with the character of the landscape/ townscape. Have a negative impact on some characteristic features or elements; Diminish the sense of place or local distinctiveness of the area;
Minor Adverse	Not wholly fit with the character of the landscape/ townscape Be at variance with the existing characteristic features or elements; Detract from the sense of place or local distinctiveness of the area;
Negligible	Maintain the character of the landscape/ townscape Complement/ blend in with the existing characteristic features or elements; Enable the sense of place or local distinctiveness of the area to be retained.
Minor Beneficial	Complement the character of the landscape/ townscape; Maintain or enhance the existing characteristic features or elements; Enable some of the sense of place or local distinctiveness of the area to be restored;
Moderate Beneficial	Improve the character of the landscape/ townscape; Enable the creation, repair, conservation or restoration of characteristic features or elements partially lost or diminished as a result of inappropriate management or prior development; Enable the sense of place or local distinctiveness of the area to be restored;
Substantial Beneficial	Greatly enhance the character of the landscape/ townscape; Enable the creation, repair, conservation or restoration of characteristic features or elements lost or harmed as a result of inappropriate management or prior development; Greatly enhance the sense of place or local distinctiveness of the area;

Table B

Geographical Extent of Landscape Change and Duration (from LVIA APP1 p1/9 table A).

	Geographical Extent of Change	Duration
Substantial	would likely relate to all or very large parts/ areas or extent of the receptor;	Effects are likely to be long term and may be permanent.
Moderate	would likely relate to some parts/ areas or extent of the receptor	Effects are likely to be long term – short term but moderated by smaller scales of change or may be short term but with larger scales of change.
Minor	would likely relate to small parts/ areas or extent of the receptor – ‘small scale’	Effects are likely to be short term may be long term but of negligible size/ scale or short term and of a larger scale of change.

Table C

Size/Scale of Change; Visual Effects (from LVIA APP1 p1/13 table B).

	Size / Scale of Change
Substantial Adverse	Cause a large deterioration in the existing views;
Moderate Adverse	Cause a noticeable deterioration in the existing views;
Minor Adverse	Cause a barely perceptible deterioration in the existing views;
Negligible	Cause no discernible deterioration or improvement to the existing view being experienced.
Minor Beneficial	Cause a barely perceptible improvement in the existing views;

Moderate Beneficial	Cause a noticeable improvement in the existing views;
Substantial Beneficial	Cause a large improvement in the existing views;

Table D

Visual Extent of Change and Permanence (from LVIA APP1 p1/13 table B).

	Extent of Change	Permanence
Substantial	would likely relate to the majority of views afforded by the receptor group and/ or to all or very large extents of each of those views;	Effects are likely to be long term and may be permanent.
Moderate	would likely relate to a moderate proportion of range of views afforded by the receptor group and/ or to a large proportion of each of those views – ‘medium scale’;	Effects are likely to be long term – short term
Minor	would likely relate to a small proportion of range of views afforded by the receptor group and/ or to a small proportion of each of those views – ‘small scale’;	Effects are likely to be short term



Linked Green Infrastructure Plan Key

- Inglewood green Infrastructure**
Refer to Figure 6 - Development Green Infrastructure Plan.
- Countryside access proposed as part of Inglewood masterplan**
- Pedestrian links with existing countryside walks and developments**
- Area of land reserved for ecological mitigation**
Management of areas detailed in Figure 7 - Proposed Farming Practices Plan by Nicolas Pearson Associates.
- Area of White Rock - Under Construction**

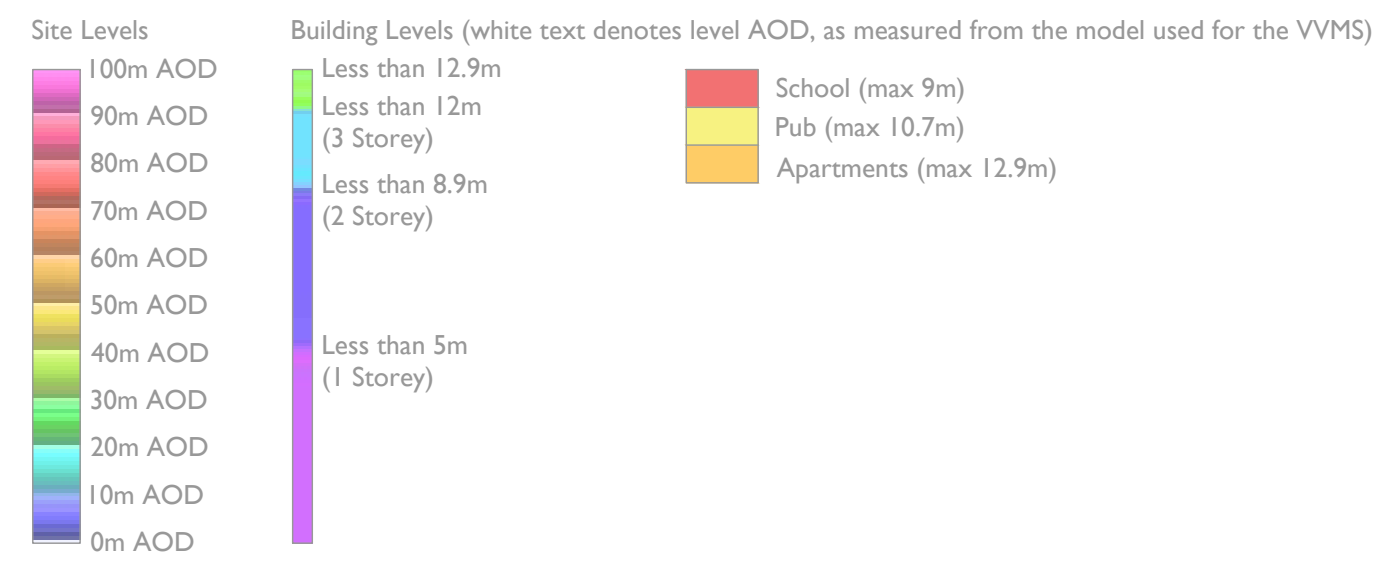
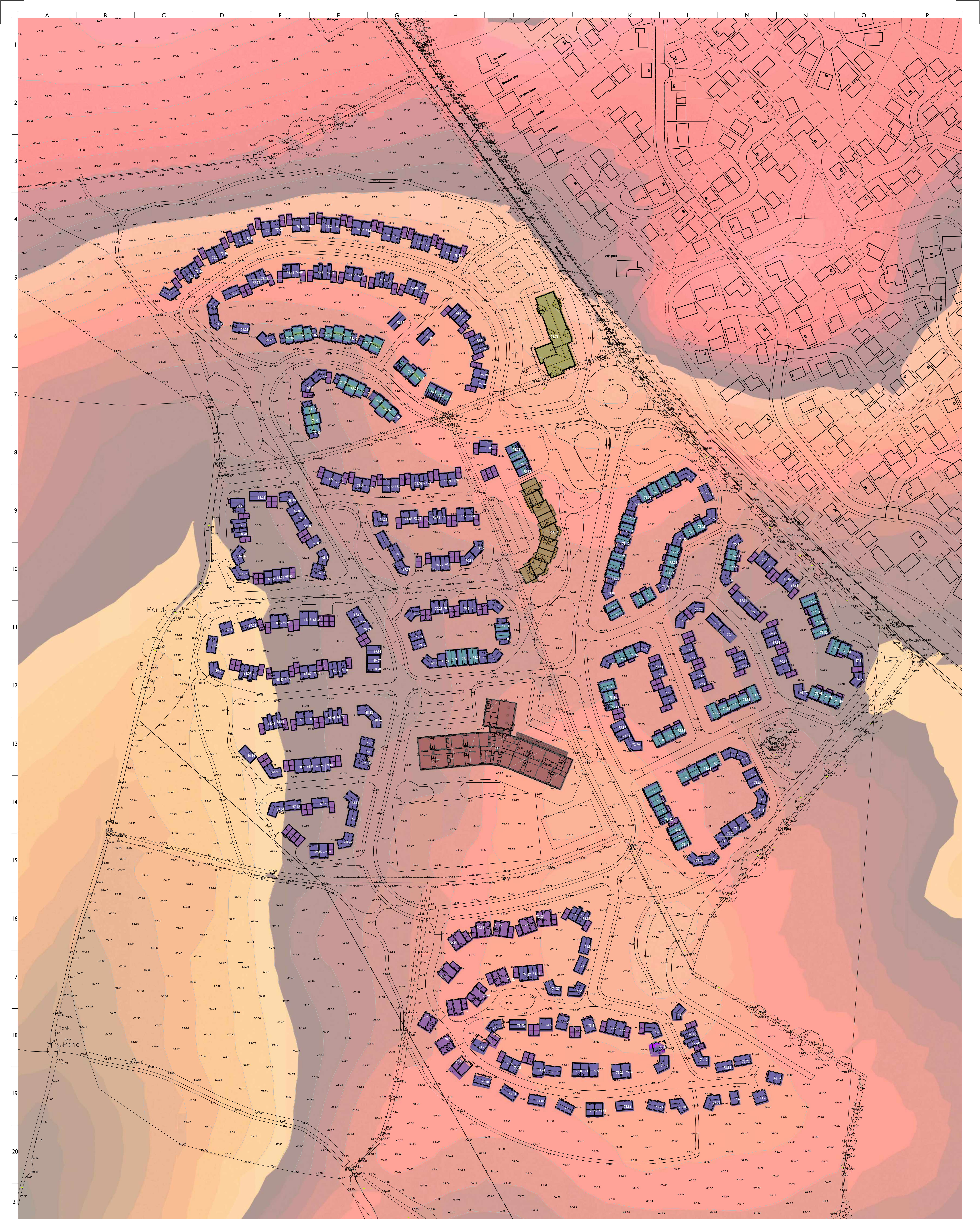
Green Infrastructure Notes:

LIGHTING - Will be in accordance with the street lighting proposals shown in the external Lighting Report. This includes all green infrastructure at the edge of the development and all hedgerows internal to the built development (and associated road breaks) being kept dark (i.e <0.5 Lux). It also includes lighting columns and the school building, where lighting is directed away from the AONB to the south west and no sports pitches are lit.

FARMING LAND - Refer to Figure 7 - Proposed Farming Practices Plan by Nicolas Pearson Associates for further detailed information.



FIGURE 5 : Linked Green Infrastructure Plan
Inglewood Landscape and Ecological Management Plan Figures



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Client: **ABACUS**

Project: **Inglewood, Paignton**

PRELIMINARY

Drawing: **Illustrative Masterplan Building Ridge Levels Plan**

Drawing No: **NPA 10874 401** Date: **June 2020** Scale: **1:750 @ A1**

Rev: **PO1** Drawn: **RG** Checked: **GP** Approved: **GP** Status: **PRELIMINARY**

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 Projected on 7/11/2020 by Ross Gilber. Postcode: 1.11, Paper Size ISO full bleed A4 (841.00 x 1189.00)mm, Plot scale: NPA_ISO_A1