

Mr Roland Close
Planning Services
Herefordshire Council
PO Box 230
Blueschool House
Hereford
HR1 2ZB

Monday, 05 February 2018

Dear Mr Close

Planning Application Ref: P174745/O

Outline planning permission with all matters reserved (save access) for the erection of up to 185 residential dwellings (use class C3) with associated parking, access roads, public open space, landscaping, sustainable urban drainage, and associated works.

This application lies within the setting of the Malvern Hills Area of Outstanding Natural Beauty (AONB). The AONB is an area designated for its national landscape importance. The Malvern Hills AONB Unit seeks to encourage high quality developments and to protect and enhance the local landscape.

The AONB Unit commissioned advice from Carly Tinkler CMLI about the landscape and visual effects likely to arise from the proposed development. The Unit has considered the advice received – included as Appendix 1 to this letter – and is in agreement with its main conclusions. The Unit **objects** to the proposed development due to the high levels of adverse effects on the setting of the AONB. We consider that these effects render the development proposal contrary to local plan policy and to policies within the AONB Management Plan (2014- 2019).

Policy context

1. Herefordshire Local Plan

Policy SS6 "Environmental quality and local distinctiveness" of the local plan states that:

'Development proposals should conserve and enhance those environmental aspects that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations.... Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based on sufficient information to determine the effect upon each where they are relevant:

- *landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;...*

'The management plans and conservation objectives of the county's international and nationally important features and areas will be material to the determination of future development proposals. Furthermore assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, neighbourhood development plans and supplementary planning documents should inform decisions upon proposals.'

Para 3.99 of the Local Plan also states that "Management Plans have been prepared for both the Wye Valley and Malvern Hills Areas of Outstanding Beauty. These documents will be relevant to assessment of the effects of development upon these important assets. The most rigorous approaches to assessing the effect of development should be taken for those areas with international and national designations, including proposals outside but having an effect upon them, in accordance with the protection afforded to such areas in the National Planning Policy Framework.

Policy LD1 "Landscape and Townscape states that development proposals should:

- *demonstrate that character of landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the **setting** of settlements and **designated areas**; (my emphasis)*
- *conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;*
- *incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and*
- *maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement trees lost through development and new planting to support green infrastructure."*

2. Malvern Hills AONB and AONB Management Plan (2014-19)

Section 85 of the Countryside and Rights of Way Act (2000) states that in exercising any functions in relation to, 'or so as to affect' (emphasis added) land in an AONB, a relevant authority must have regard to the purposes of conserving and enhancing the natural beauty of the AONB. In 2012 Defra and Natural England advised those carrying out reviews of AONB Management Plans to consider the effect of development in the setting of the protected landscapes. 'Setting' refers to the surroundings in which the area is experienced.

The AONB Management Plan is a material consideration within the development management process. This was most recently confirmed in the Landscape section of the Natural Environment chapter of the National Planning Practice Guidance published in March 2014. In accordance with Section 89 of the Countryside and Rights of Way Act (2000), the Management Plan formulates local authority policy for the management of the AONB and for the carrying out of local authority functions. The following objectives and policies are especially relevant to the proposed development:

- *LP1: Manage the landscape of the AONB in accordance with key documents such as the AONB Landscape Strategy, Landscape Character Assessments and Historic Landscape Characterisations.*
- *BDO1: The distinctive character and natural beauty of the AONB will be fully reflected in the development and implementation of consistent statutory land use planning policy and guidance across the AONB, and in decision-making on planning applications for development.*
- *BDP1: Development in the AONB and its setting should be in accordance with approved local design and capacity studies, including the AONB Guidance on Building Design.*

Key comments on planning application

1. Landscape effects

LANDSCAPE SENSITIVITY

Landscape Susceptibility to Change

Both the AONB and its setting are highly important factors. The Unit considers that, in accordance with the criteria used in the Landscape and Visual Assessment (LVA), the AONB landscapes in this area are of Very High susceptibility to change, and the landscapes within its setting - and within which the site lies - are at least of Medium to High susceptibility to change. Importantly, the Unit considers that levels of susceptibility to change increase across the site from west to east, due to the proximity of the AONB and the town's historic southern gateway.

Landscape Value

The LVA concludes that the *site's* level of value is 'local', which presumably is around 'Medium'. The Unit does not agree with this for two main reasons. Firstly, the site is clearly part of the setting of the AONB (as recognised by the applicants LVA). Secondly, we consider that the site's historic and present day functions, for example, as a gateway, have not been factored into judgements about the value of the site, leading to the LVA's conclusion in para 1.2 that '*The large majority of the site is arable land of negligible intrinsic value*'.

The Unit considers that, in accordance with the criteria used in the LVA, the AONB landscape is of Very High value, and in this area, the landscapes within its setting - and within which the site lies - are at least of Medium to High value. Also, as with susceptibility, the Unit considers that levels of value increase across the site from west to east.

Landscape Sensitivity

The LVA concludes that the landscapes of both the site and surrounding area are of Medium sensitivity. That is the logical outcome of a combination of the predicted Medium levels of susceptibility to change and value. As explained above, the Unit judges the levels of both to be higher within this part of the AONB setting, considering them to be at least of Medium to High sensitivity. Levels of sensitivity are highest at the eastern end of the site.

MAGNITUDES OF EFFECT

Since the application is in outline, the Unit recognises that some effects cannot be predicted with certainty at this stage; however, it is possible to assess the principal effects on the basis of what is proposed, including the mitigating measures. The LVA predicts that overall, the magnitude of effect would be High Adverse: the LVA criteria for this level of magnitude include '*addition of prominent conflicting elements*' in the landscape. The Unit broadly agrees with this conclusion.

EFFECTS ON LANDSCAPE CHARACTER

Whilst the site's area of influence within the wider landscape is relatively limited apart from to the south west and west, it does display some of the key characteristics of, and is a good representation of, its host national and countywide Landscape Character Type. In terms of settlement patterns appropriate in the LCT, the County's Landscape Character Assessment Supplementary Planning Document (LCA SPD) states, '*Modern development favouring groups or clusters of new houses would not be appropriate in this landscape*'. The scale and form of development on the host Principal Timbered Farmlands LCT would, therefore, be negative. This is extremely relevant to the AONB because it forms part of the setting of the nationally designated landscape.

The LVA predicts that the level of effects on the landscape character of the site and its 'immediate context' would be **Major to Moderate Adverse**, reducing to Moderate Adverse after 15 years or so once screen planting had started to become effective. Based on the AONB Unit's commissioned assessment the Unit disagrees with any suggestion made in the LVA that the Major to Moderate level of effects would be confined to the site. The Unit considers that the Major to Moderate Adverse level of effects would extend across the local landscapes which form an integral and important part of the AONB's setting and physical area of influence, which includes the western slopes of the AONB.

The Unit considers this level of harm to be unacceptable to the landscapes of the western edge of the Malvern Hills AONB and those of the AONB's wider setting. Nor would the proposed development conserve or enhance the character of the historic gateway to Ledbury from the south. The Unit considers that the proposed development would not be consistent with having regard to the effect of development on the setting of a protected landscape.

Despite these conclusions, the fact that the site's landscape character is more sensitive at its eastern end means that restricting built form to the areas of lower sensitivity could potentially lower overall levels of effects on the setting of the AONB. It is possible that development of a smaller scale, sited to avoid the 'clustering' effect referred to in the LCA SPD could be more appropriate in this regard.

2. Visual effects

VIEWES OF SITE FROM THE AONB

The LVA assessed six viewpoints (LVA PVPs 1 - 6) within the AONB and from which the proposed development could be visible. The assessment commissioned by the AONB Unit concludes that there is the potential for new built form to be visible from other viewpoints within this part of the AONB.

PVP1 is an open view from the unregistered historic parkland at Underdown, looking south west across the application site. The LVA concluded that the level of visual effect would be **Major to Moderate Adverse**. The Unit considers that the adverse magnitude of effect could well be higher than the level predicted in the LVA, and thus effects on this receptor could potentially be even higher – perhaps **Major Negative**, depending on how much built form is visible and what it looks like from this elevation and angle of view.

The view is across good, quality, open rural landscapes with very little residential built form visible (the 150884 development west of the site may not be visible from this View Point when constructed). These qualities are important characteristics of Underdown's setting, given its relationship to the countryside beyond which includes visible historic parkland remnants.

PVP2 is a view at the A417 / A449 roundabout on the AONB's boundary, looking south west towards the site. This is a key viewpoint, especially as it reflects the good quality landscape context and setting of the AONB and the town. The photograph from PVP2 demonstrates that the 'eye-catching' ornamental tree clump and the high mound east of the site are important features of the view, and the lack of visible built form is an important aspect of the view. It is possible that the proposed development could breach the distinctive skyline formed by the mound and tree clump, an effect which would be visible not just at this location but at other viewpoints not assessed in the LVA.

The LVA predicts that levels of effects on visual receptors at PVP2 would be Minor Adverse. The Unit does not agree since this assumes that all visual receptors are of Low sensitivity. Some receptors will be of far higher sensitivity, especially visitors to the AONB (High to Very High), whose purpose of the visit is to enjoy its natural beauty. Also, people in residential properties are generally High or High to Very High sensitivity receptors. Given that the LVA indicates that built form is likely to breach the skyline formed by the mound, the Unit considers that the level of effects on the highest sensitivity receptors at this viewpoint could be **Moderate to Major Adverse**.

The potential for new development to breach the skyline in such views is a very important one and it is suggested that the applicant be asked to provide Long sections between these receptors and the proposed development, to determine whether or not built form would breach the ridgeline.

PVPs 3, 4, 5 and 6 are along public footpaths within the AONB, on the wooded slopes at the southern end of Coneygree Wood, looking towards the application site. Whilst the areas of dense woodland on the slopes do filter / screen views of the site, there are also several unwooded areas, especially associated with the historic parklands north east of the site (Ledbury Park and Underdown) across which open, long-distance, unsettled rural views open up. The LVA notes that at certain points, built form is likely to be visible, especially that proposed on the southern side of the site (the field which lies in between the two woodland blocks). However, the LVA concludes that levels of effects on receptors at all these viewpoints would be Negligible / Neutral. The Unit considers that, at viewpoints from which built form could be seen, the effect would be *at least* **Moderate Adverse**, not Negligible / Neutral.

Consideration could be given to reducing the degree of harm arising at these (and other) viewpoints by excluding new built form from the southern field.

VIEWS OF SITE TOWARDS THE AONB

The LVA identified several viewpoints within the setting of the AONB, and from which the proposed development would be intervisible with the AONB. The AONB Unit's comments on views towards the AONB and on the LVA's conclusions reached can be summarised as follows.

The Unit does not disagree with the LVA's conclusion that effects on views from the Marcle Ridge at PVP14 (and thus from an 'Exceptional' viewpoint) are likely to be Negligible.

Effects on some receptors at PVPs 10 and 11 are likely to be higher than the predicted 'Negligible' - the sensitivity of the receptors is given as Low when in fact some receptors would be tourists on their way to visit the AONB.

The LVA did not assess effects on views along footpath LR7 looking north towards the town. The path is along the line of an historic trackway leading to the town from the south. It affords fine views of the town's distinctive setting to the east - the dramatic uplift of the wooded hills which are so characteristic of this part of the AONB, and the historic parkland at Underdown. Levels of effects on receptors travelling north through the site are considered likely to be **Major Adverse**.

The LVA did not assess effects on one of the most important public views of the AONB in the vicinity of the site, namely views along Leadon Way looking east / north east along the site's northern boundary. At the western end of the site, the angle of the view from the road (looking to the south east), is such that the new development would almost certainly entirely block the existing view of the AONB, although from that location, the AONB's wooded hills only form a small proportion of that view. Nonetheless, the change from what exists at present (good quality rural open countryside) to what is proposed (modern houses and other urbanising features and influences, including the new roundabout and access), is likely to give rise to a high level of adverse visual effects.

Travelling further east along Leadon Way, the road curves round to the north east. At a point not too far from the site's western end, the prominent wooded hills of the AONB south east of the town come into focus, and form the distinctive skyline. The further east one travels, the more that view opens up. It is an important view because for many visitors, it is the 'gateway' to the AONB and the town which they have come to visit. Currently, it is a very good representation of the good quality rural landscapes which form the AONB's immediate setting. Although the new development to the west will introduce new houses into views along Leadon Way from the 'Full Pitcher' roundabout to a point near the application site's western boundary, the houses will only have minor intervisibility with the AONB, albeit they will breach the skyline. And, these viewpoints are further away from the AONB, on lower-lying land with a more urbanised character.

As one rises up the hill, one approaches the AONB and the A417 / A449 roundabout at the town's southern gateway. At this point, the quality, value and sensitivity of the view increases significantly. Importantly, there is little or no built form in the view, which is characteristic of this part of the AONB.

EFFECTS ON VIEWS AND VISUAL AMENITY

In conclusion, given that some of the visual receptors (i.e. people on their way to visit the AONB) will be of High to Very High sensitivity, the Unit considers that levels of effects on the highest sensitivity receptors could be **Substantial Adverse**. This is considered unacceptable, especially in light of policy BDP2 of the AONB

Management Plan: *'Development proposals should be informed by the need to protect or enhance key views to and from the AONB'*. However, the Unit considers that in some cases the degree of adverse visual effect could be reduced by excluding built form from the eastern and southern fields and potentially, with mitigating measures, although this would need to be demonstrated.

The advice commissioned from Carly Tinkler contains a number of recommendations, including with regard to how adverse landscape character effects and effects on views and visual amenity could be reduced. The Unit refers you to these recommendations in Appendix 1 to this letter.

I hope you are able to take these comments into account.

Yours sincerely



Paul Esrich
Manager, Malvern Hills AONB Unit

Appendix 1

Proposed Residential Development on Land South of Leadon Way, Ledbury

Planning Application Ref: P174745/O

Review of Landscape and Visual Matters

February 2018

Prepared on behalf of the Malvern Hills AONB Unit

by

Carly Tinkler BA CMLI FRSA

1. Introduction and Background

Introduction

- 1.1 In January 2018, I was commissioned by the Malvern Hills Area of Outstanding Natural Beauty (AONB) Unit to review and comment on landscape-related information submitted to Herefordshire Council (HC) with an outline planning application (P174745/O) for new residential development on land south of Ledbury, in south-eastern Herefordshire.
- 1.2 The Malvern Hills AONB is an area designated for its national landscape importance, the primary purpose of AONB designation being *'to conserve and enhance the natural beauty of the area'*.
- 1.3 The application site ('the site') lies outside the AONB, but close to it, and it is within the AONB's setting: the site's eastern boundary is c. 90m away from the AONB's western boundary at its closest point.
- 1.4 The Malvern Hills AONB Management Plan (2014 - 2019) was a key source of reference for this commission. It explains on page 6 that its purpose is *'to help all those involved in managing the AONB to:*
 - *conserve its special qualities;*
 - *manage the pressures on these qualities; and*
 - *where possible, improve the AONB for current and future generations of people who live in and visit the area.*

'A management plan provides guidance to everyone with an interest in an AONB. That includes all those organisations and individuals who manage or have an influence over land in the area, as well as those who live, work and relax there'.

- 1.5 On Page 5, the Management Plan emphasises the importance of considering *'the significance of the setting of the AONB'* when planning new development:

The significance of the setting of the AONB

In 2012, Defra and Natural England advised those carrying out management plan reviews that there is a greater imperative to consider the effect of development in the setting of protected landscapes. The setting of an Area of Outstanding Natural Beauty (AONB) is the surroundings in which the area is experienced. If the quality of the setting declines, then the appreciation and enjoyment of the AONB diminishes. Construction of a distant but high structure; development or change generating movement, noise, odour, artificial light, vibration or dust over a wide area; or a new understanding of the relationship between neighbouring landscapes may all impact on / extend the setting' (my emphasis).

- 1.6 In the light of this, the aim of the commission was therefore to determine whether the proposed development would be likely to directly and / or indirectly affect the landscape character and visual amenity of the AONB and / or its setting, and if so, whether positively or negatively, and to what degree. The commission would also consider the relevant planning policy and guidance context, and whether the proposed development would be likely to comply with the given requirements.
- 1.7 This report sets out the findings of my assessment and review.

Background

- 1.8 It is understood that the applicant sought pre-application advice from the Council. Also, a formal request for an Environmental Impact Assessment (EIA) Screening Opinion was made to HC. The Council's opinion was that the proposal did not represent EIA development, and therefore an Environmental Statement was not required.
- 1.9 It is also understood that since the application was submitted, the case planning officer has informed the applicant that further information will be required in order for the application to be

determined; however, this information had not been submitted at the time of this review, and only the originally-submitted documents have been taken into account.

2. Application Site and Proposed Development

The Site

- 2.1 The application site ('the site') is described in some detail in the applicant's Landscape and Visual Appraisal (LVA) and other submitted documents, and where relevant, in the following sections.
- 2.2 In summary, the site area is c. 9.4ha. It comprises three and a half arable fields lying in rural open countryside on the south-eastern side of the historic market town of Ledbury and south of the A449 Leaddon Way, which forms its northern boundary.
- 2.3 The eastern boundary is an arbitrary line bisecting a field, the eastern side of which is bounded by the A417 Ledbury Road. The Malvern Hills AONB boundary runs along the A417, and continues north along the A449 into Ledbury town centre.
- 2.4 The site lies just east of a roundabout which links the A417 with the A449. The roundabout forms an important gateway into the town from the south (see settlement pattern analysis below); its landscape context is characterised by the distinctive west-facing, well-wooded slopes of this part of the AONB.
- 2.5 The site's southern boundary follows the line of existing field / plantation woodland boundaries. The western boundary is contiguous with the eastern boundary of a recently-allowed residential development site (original application ref. 150884).
- 2.6 For further information about the site and surrounding area's key landscape features and receptors, see baseline and effects sections below.

Proposed Development

- 2.7 The applicant's submitted documents, in particular the Design and Access Statement (DAS) and the LVA, should be referred to for more detailed information about the nature of the proposed development, although a summary is provided below. Specific scheme elements are described further where relevant to the assessment.
- 2.8 According to the application documents, the development would comprise up to 185 dwellings with associated parking, access roads, public open space, landscaping, sustainable urban drainage and associated works, and with all matters reserved save access.
- 2.9 Access to the development site is proposed off the A449 (Leaddon Way) via a new on-line roundabout.
- 2.10 The LVA states (para. 5.5) that *'The landscape and visual sensitivities of the site have influenced the masterplanning process through an iterative process. Thus, the scheme proposals incorporate a degree of integral (or embedded) mitigation to avoid or reduce potential landscape and visual effects. These measures can be summarised as follows:*
 - *Retention and enhancement of the field boundary hedgerows where possible;*
 - *Develop with sympathy to the topographical contours, considered design has sought to avoid development on the highest and steepest landform areas to respect the setting of the Malvern Hills AONB;*
 - *Use vernacular style form and materials to create a more coherent and sympathetic feel to the edge of settlement;*
 - *Retention of hedgerow trees; and*
 - *New woodland planting within the illustrative masterplan layout to soften, filter and screen the appearance of the proposed development.'*
- 2.11 There is a public footpath which crosses the eastern part of the site in a north - south direction. The applicant's illustrative masterplan and the LVA plans do not show the correct

definitive map line of LR7 - instead, it is shown to be diverted; however, I could not find any reference to the diversion in the documents I consulted, and **this requires clarification**.

- 2.12 However, it must be borne in mind that as the application is in outline, the plans are only illustrative at this stage, and the layout shown (and the effects to which it would give rise) could change in the event of a detailed application coming forward if planning permission is granted.
- 2.13 Notwithstanding this, the nature and degree of the effects which are likely to arise can be predicted with a certain amount of confidence, on the basis of the type and scale of development proposed, and a good understanding of the baseline situation.
- 2.14 The same applies to the proposed mitigation, as the measures are only indicative of how adverse effects could be avoided or reduced. However, it is possible to broadly determine whether or not mitigation is likely to be appropriate and / or effective. Where relevant, mitigation is discussed below.

3. Approach and Method

- 3.1 In terms of approach, and in order to inform my judgements, I carried out a high-level landscape and visual assessment following methods set out in published guidance and current best practice¹.
- 3.2 I wanted to draw my own conclusions about a) the key matters and issues which required consideration, and b) the landscape and visual effects likely to arise from the proposed scheme, and their level, or degree. I would then analyse the applicant's findings and compare them to my own.
- 3.3 The first step involved establishing, mapping and noting the baseline landscape and visual situation, and the relevant AONB-specific landscape and visual receptors. This was informed by site visits and desktop studies; reference was also made to other studies such as Landscape Sensitivity and Capacity Assessments (LSCAs) which I had previously carried out for communities in the local area as part of the evidence-base for their Neighbourhood Development Plans (NDPs).
- 3.4 Landscape character assessment requires consideration of landscape-related factors such as cultural heritage and biodiversity, both of which influence the landscape and how it is perceived. In this case I included the area's heritage assets, historic landscape character and designated wildlife sites in the study, and carried out both an historic map regression exercise and a settlement pattern analysis.
- 3.5 Following the 'GLVIA3' process, the baseline study findings were analysed, and subsequently factored into judgements about levels of landscape value, susceptibility to change, and sensitivity.
- 3.6 I then considered the nature of the effects likely to arise from the proposed development, and the probable levels of magnitudes of effect. This, combined with levels of sensitivity, informed professional judgements about the likely overall levels of effects on the landscape character and visual amenity of the AONB and its setting.
- 3.7 The baseline studies revealed that since 2015, in the vicinity of the site, two large-scale residential developments have either been approved or allowed at appeal (HC refs. 141651/O (up to 100 dwellings), and 150884/O (up to 321 dwellings), the latter adjoining the application site's western boundary), and a further planning application for large-scale residential development (up to 435 dwellings) on land almost adjacent to this application site has recently been submitted (HC ref. 174495/O). This was factored in to the assessment of effects, including consideration of cumulative effects.

¹ For further information on guidance, methods, techniques and processes, see *An Approach to Landscape Character Assessment* (October 2014) Natural England; *Landscape Character Assessment Guidance for England and Scotland* and associated *Topic Paper 6: Techniques and criteria for judging sensitivity and capacity* The Countryside Agency and Scottish Natural Heritage (2002); and *Guidelines for Landscape and Visual Impact Assessment 3rd Edition* (2013) Landscape Institute / Institute of Environmental Assessment (usually referred to as 'GLVIA3').

- 3.8 Once I had reached my conclusions, I reviewed the applicant's LVA and other landscape-related studies and reports, then cross-referenced, tested and compared the results.
- 3.9 I also considered the relevant national and local landscape-related planning policy context, and whether what was proposed would be likely to fulfil or be in breach of any policies and material guidance.
- 3.10 Comments on the applicant's LVA's method, process and findings, and a comparison of these with my own, are included in the review.
- 3.11 Where appropriate, recommendations have been made for further information to be provided / studies to be carried out, and for additional mitigation measures.

4. Landscape and Visual Context

Landscape Character Baseline Study Findings

NATIONAL LANDSCAPE DESIGNATIONS: BASELINE

- 4.1 The landscapes within which the site lies are undesignated, but it is situated very close to the AONB's western boundary which runs along the A417 to the east (c. 90m away at its closest point).
- 4.2 The landscapes of this part of the AONB and within its setting are described in the local landscape character section below.

NATIONAL LANDSCAPE CHARACTER: BASELINE

- 4.3 Paras. 3.3 and 3.4 of the LVA deal with national landscape character. The LVA correctly identifies that the site lies within National Character Area (NCA) 100 Herefordshire Lowlands, but omits the fact that it also lies very close to the boundary with NCA 103 Malvern Hills. In this area, the boundary between the NCAs is contiguous with the Malvern Hills AONB boundary, both of which run along the A417 / A449.
- 4.4 The boundary lines coincide with a sudden, dramatic and highly visible physical change in landscape character, from agricultural lowland plains in the west to both wooded and unwooded hills and slopes in the east. The nature of the topography here means that there is considerable inter-influence between the NCAs, especially in the vicinity of the site.
- 4.5 However, the LVA dismisses the relevance of NCAs to the assessment, because *'For the scale of the development proposed it is considered that the description of landscape character undertaken at the sub-regional level is more relevant in establishing the landscape resource baseline'*.
- 4.6 In my opinion, the LVA should have considered both NCAs in the baseline studies, and assessed effects upon them.
- 4.7 NCAs are the responsibility of Natural England. They are *'... areas that share similar landscape characteristics, and which follow natural lines in the landscape rather than administrative boundaries, making them a good decision-making framework for the natural environment.'*
- 4.8 Importantly, NCA profiles are *'... guidance documents which can help communities to inform their decision-making about the places that they live in and care for. The information they contain will support the planning of conservation initiatives at a landscape scale, inform the delivery of Nature Improvement Areas and encourage broader partnership working through Local Nature Partnerships. The profiles will also help to inform choices about how land is managed and can change'*.
- 4.9 The LVA should have noted whether any of the key characteristics of NCA 100 are well-represented on the site and within its immediate surrounds, and which could potentially be directly affected by the proposed development.
- 4.10 Herefordshire Lowlands are described in the NCA profile as having a *'strong sense of character'* that should be *'reinforced'*; it notes that *'Views can be expansive across to neighbouring NCAs'*.

- 4.11 The NCA profiles contain specific 'Statements of Environmental Opportunity' (SEOs) for each area, which offer guidance on the critical issues identified, and which can '*... help to achieve sustainable growth and a more secure environmental future*'. They are a relevant factor.
- 4.12 NCA 100 SEO 2 states: '*Protect and enhance the natural and historic environment, integrating new development through the use of green infrastructure principles informed by existing heritage, geodiversity and biodiversity assets*'.

COUNTYWIDE LANDSCAPE CHARACTER: BASELINE

- 4.13 The LVA correctly notes that the site lies within the Principal Timbered Farmlands Landscape Character Type (LCT) (as defined by HC's Landscape Character Assessment SPG (2002 updated 2009)). The Principal Wooded Hills LCT lies adjacent (within the AONB), and is also a factor in the study. The town itself is classified as 'Urban'.
- 4.14 As with the NCAs, there is considerable inter-influence between the LCTs, especially in the vicinity of the site.
- 4.15 The HC LCA description of the Principal Timbered Farmlands LCT states: '*The irregular outline of many of the woodlands, together with the pattern of hedgerows and winding lanes, contributes to the overall organic character of this landscape*'.
- 4.16 The LVA notes the key characteristics of the Principal Timbered Farmlands LCT which are present / well-represented on the site and within its immediate surrounds, and which contribute to their character.
- 4.17 In terms of settlement patterns appropriate in the Principal Timbered Farmlands LCT, the LCA states, '*Modern development favouring groups or clusters of new houses would not be appropriate in this landscape*'.

LOCAL LANDSCAPE CHARACTER: BASELINE

- 4.18 Although an important factor in baseline assessments, the countywide LCTs cover broad areas which share similar characteristics; thus, the level of detail provided is not sufficient for the purpose of more fine-grained assessments such as this. Clearly, within each landscape type there may be considerable local natural and cultural variations which must be understood and factored into the baseline studies.
- 4.19 The landscapes of the site and surrounding 'local' areas were therefore subject to more detailed on-the-ground survey and analysis, which I carried out in late January.

Malvern Hills AONB and Setting

- 4.20 The purpose of this study was to assess effects on the Malvern Hills AONB and its setting. The AONB Management Plan explains that the setting of an AONB is '*the surroundings in which the area is experienced*', and that new development within the AONB's setting may '*impact on / extend the setting*'.
- 4.21 What constitutes the setting of the AONB had to be established early on in the process, as this would determine the extent of the study area. At the same time, the extent of what constitutes 'the local landscape' also required consideration, for the same reason. These can be determined by mapping both physical and visual 'areas of influence' of i) the Malvern Hills AONB, and ii) the proposed development.
- 4.22 In this area, the western edge of the AONB is clearly defined by steeply-sloping topography and predominantly mature woodland interspersed with open areas which include historic parkland (see below).
- 4.23 Travelling westwards, the land slopes down to the River Leadon and then undulates across the Herefordshire Lowlands. At close quarters, the western edge of the AONB acts as a physical barrier and visual screen to the rest of the AONB, including the Malvern Hills themselves.
- 4.24 Further west, the Lowlands end abruptly at the upstanding Marcle Ridge, which lies c. 8.5km west of the Malvern Hills AONB boundary, and c. 7.5km west of the site at its closest point (the Ridge is c. 5km long, and is aligned approximately north - south). The Ridge lies on the

eastern side of the Woolhope Dome, which forms the northern end of the Wye Valley AONB, the eastern boundary of which lies c. 1.5km further west of the Ridge.

- 4.25 From the Ridge and the higher parts of its slopes looking east, there are extensive and high-quality panoramic views in which the full c. 22km extent of the Malvern Hills and the associated Suckley Hills to the north, which also lie within the AONB, is clearly visible on the skyline.
- 4.26 On the Ridge there is a viewpoint categorised as 'Exceptional' by the Malvern Hills AONB Unit, along the Herefordshire Way, a popular long-distance trail which runs north-south along part of the Ridge (see visual baseline below). From these elevated vantage points, the landscapes (and town and villagescapes) in between the Ridge and the ridgeline of the Malvern Hills effectively form the setting of the Malvern Hills AONB. Ledbury is visible in these views.
- 4.27 However, in terms of what constitutes the 'local' landscape, and the areas within which effects on the character of the AONB's setting are most likely to arise, it is clear that the area of influence of a development of a type and scale as the one proposed here is unlikely to extend as far as 8km (although there is the potential for effects from increased night-time lighting to be experienced at that distance - see below).

Local Landscape Study Area

- 4.28 In my opinion, the 'local' landscape character baseline study boundary can be limited to the likely area of influence of the development. For this study, the focus is on the areas within the AONB and / or its setting which are most likely to be directly and / or indirectly affected by the proposed development (based on topography, built form, and in certain cases, significant vegetation) *to a material degree*, as follows:
- i. NORTH: the southern built edge of Ledbury;
 - ii. NORTH EAST, EAST & SOUTH EAST (areas east of A417) the ridgelines along the hills on the west side of the AONB;
 - iii. SOUTH EAST (areas west of A417): c. 1.5km from site;
 - iv. SOUTH: c. 2 - 2.5km from site;
 - v. SOUTH WEST & WEST: c. 2.5km from site;
 - vi. NORTH WEST (areas west of Leadon Way): c. 2 - 2.5km from site;
 - vii. NORTH WEST (areas east / north of Leadon Way): the southern built edge of Ledbury.

Local Landscape Characteristics and Qualities

- 4.29 The local landscapes are in fact highly characteristic of their 'host' LCTs, which the applicant's LVA also notes.
- 4.30 Ledbury's 'Urban' status speaks for itself, although clearly the town has its own specific character.
- 4.31 Within the AONB, the Principal Wooded Hills east of the A417 are indeed predominantly wooded hills, but the area is complex, and displays great natural and cultural diversity. Whilst much of the area east of the Ledbury hills' ridgelines is likely to be beyond the proposed development's area of influence, the key contributors to local landscape character, value and sensitivity are relevant to the study, and are listed in under the Features and Assets heading below.
- 4.32 South of the town is open countryside. On the whole, the site and immediate surrounds (Principal Timbered Farmlands) are every-day, rural, working agricultural landscapes that have undergone many changes over time (see historic landscape character and settlement pattern analysis below).
- 4.33 Woodland cover is scattered throughout, but much of it is relatively modern, geometrically-shaped plantation woodlands - none are Ancient Semi-natural. Watercourses are well-wooded along much of their lengths with predominantly native trees, and there are what appear to be historic parkland remnants (see below).

- 4.34 The land and the various elements and features are in relatively good condition.
- 4.35 The topography of the site and its immediate surrounds is well-described in para. 3.17 of the LVA, but in summary, it reflects the area's location within the transition zone between the Malvern Hills' influence and that of the lowlands, the land being gently rounded / undulating / sloping, incised by watercourses.

Local Landscape and Site Baseline: Features and Assets

- 4.36 My baseline study identified several landscape features and assets within the c. 2 - 3km study area which make important contributions to the area's 'local distinctiveness' and 'sense of place' (both important aspects of national and local planning policy, strategy and guidance).
- 4.37 Some of these were also identified in the LVA, but in my opinion, the baseline studies were not comprehensive or fine-grained enough to objectively establish the site and surrounding area's levels of susceptibility to change, value and sensitivity.
- 4.38 The features, assets and functions described in the sections below need to be factored in to judgements about levels of landscape value (not all are within the application site's area of influence, but they help to build up an understanding of the local landscape as well as the most important / potentially sensitive aspects of its character).
- 4.39 Where relevant, they (and their settings) should also be noted as potential landscape receptors and / or constraints to development, to be included in the assessment of effects.

Landscape Features (Historic / Cultural)

- Scheduled monument (Wall Hills Camp - Iron Age hillfort)
- Grade I listed buildings:
 - Eastnor Castle (within AONB)
 - Church of St Michael and All Angels (Ledbury town centre)
- Grade II* Registered Historic Park and Garden (Eastnor Castle and Deer Park - within AONB)
- Grade II* / II listed buildings (several listed buildings and structures within study area - one Grade II* (within AONB), rest II)
- Two Unregistered Historic Parks and Gardens (Underdown and Ledbury Park - both within AONB)
- Conservation Area (partly within AONB).

Historic Landscape Character

- 4.40 The above features are integral to an understanding of the area's historic landscape character. In addition, as part of my assessment I carried out an historic map regression and analysis exercise. From this it was possible to determine which other key features such as field boundaries, parkland and woodland were part of the historic landscape fabric, what features had been lost, which were characteristic of the wider and local areas, and so on. The findings were used to inform the assessment of effects, and recommendations for mitigation / enhancement.
- 4.41 The Grade I listed Church of St Michael and All Angels in Ledbury town centre is described in the listing as 'one of the finest churches in Herefordshire'. It has an elegant spire which is a significant presence in, and exerts a high degree of influence over, the landscapes which form part of the church's setting (as it was no doubt intended to do); the spire is clearly visible as a feature on the skyline in views from south of the town.
- 4.42 The majority of the Grade II listed buildings in the area are historic farmsteads. These make an important contribution to, and reinforce, the traditional rural / agricultural character of the area.

- 4.43 Many trackways are shown on the old maps in the vicinity of the site, some undoubtedly ancient (early pilgrims walked via Ledbury to the sacred sites on the Malvern Hills from the west) but not all are now public rights of way.
- 4.44 East of the A417, the characteristic woodlands of the AONB's west-facing slopes had been established for centuries (all are categorised as Ancient Semi-Natural Woodland), although some renewal has taken place over time. There are orchards shown on the 1889 - 92 maps in the historic parkland at Underdown, but these have also gone.
- 4.45 In the late 19th century, the application site lay c. 1km south of the town centre. The area west of the A417 was characterised by productive farmland comprising predominantly arable, pasture and orchard, but there was no woodland at all. Today, it is still productive farmland, although only one orchard remains in the locality, west of Dymock Road. However, new plantation woodlands (mixed deciduous and coniferous) were planted in the 20th century, including those on the site's southern and south-eastern boundaries.
- 4.46 As well as the two unregistered parks which lie close to the site's north-eastern boundary on the town's outskirts, of note are remnant historic landscape features such as ornamental tree clumps, which are likely to have been planted as 'eye-catchers' within a designed parkland (the clumps are shown as mature on the 1889 - 1892 map).

Landscape Designations and Features (Natural Environment)

- 4.47 There are several important nature conservation sites and natural features within the study area which contribute to the landscape's character (and its visual amenity). The key sites and features include:
- Site of Special Scientific Interest (Mayhill Wood - within AONB)
 - Special Wildlife Site (Coneygree Wood - within AONB)
 - Semi-natural Ancient Woodlands (several within AONB)
 - Priority Habitat Inventory Sites (several scattered throughout study area, including the woodland on the site's southern boundary)
 - National Forest Inventory Sites (several scattered throughout study area, including the woodlands on the site's southern and south-eastern boundaries)
 - Site lies with Nitrate Vulnerable Zone (Surface Water).

Significant Vegetation

- 4.48 As well as the natural features listed above, there are areas where mature vegetation - predominantly trees - make a significant contribution to landscape character and visual amenity.
- 4.49 An arboricultural assessment has been submitted with the application. According to paras. 2.14 and 2.15 of the LVA, *'consultation with HC confirms that one TPO is registered on this site, and formally protects [sic] three individual oak trees and one sycamore on site – as well as a group of trees on the high point to the north east of the site... Three veteran trees (T1, T5 and T38) are present within the site'.*
- 4.50 The ornamental tree clump which lies adjacent to the site's eastern boundary is also covered by a TPO.

Recreation and Access

- 4.51 The Ledbury and Malvern areas are highly popular tourist destinations, and many people visit in order to appreciate their special qualities - not just those of the AONB, including the outstanding natural beauty its landscapes, but the intrinsic beauty and relative tranquillity of the rural landscapes, and the historic black-and-white towns and villages that are so characteristic of the area.
- 4.52 Visitors include drivers, walkers, cyclists and equestrians.

- 4.53 There is a good network of public footpaths in the area. Ledbury lies in a strategic location in between the Wye Valley AONB / Marcle Ridge and the Malvern Hills, and the local footpaths provide important connections between well-used trails such as the Herefordshire Way (which runs from the Ridge to and through Ledbury town centre), and the Poets' Paths near Dymock. Many are ancient trackways.
- 4.54 One public footpath (LR7) runs north - south through the site's easternmost field: this was also an old trackway, linking Ledbury to the south. It is also important in terms of visual amenity (see below). As noted above, the applicant's illustrative masterplan and the LVA plans do not show the correct definitive map line of LR7 - instead, it is shown to be diverted; however, I could not find any reference to the diversion in the documents I consulted, and this requires clarification.

Green Infrastructure Assets and Functions

- 4.55 The landscapes south of the town, where the new development is proposed, contain several locally-important Green Infrastructure (GI) assets (which include the landscape features noted above, and several terrestrial and aquatic habitats and corridors); these perform important local GI functions.
- 4.56 As far as I could see, the LVA did not refer to HC's GI Strategy, or effects on GI assets and functions.

Local Landscape and Site Functions

- 4.57 My baseline study included an assessment of the site and surrounding area's present and historic landscape functions, the findings of which were factored in to judgements about levels of value and overall effects. There was no specific analysis of function in the appellant's LVA. The key functions which I identified include:
- Integral part of context and setting of Malvern Hills AONB;
 - Integral part of context and setting of southern side of Ledbury;
 - Integral part of rural context and setting of Unregistered Historic Park and Garden; and
 - Historic gateway to Ledbury from the south (at A417 / A449 roundabout, close to site's north-eastern corner).

Settlement Pattern Analysis

- 4.58 Late 19th century maps show that built form in Ledbury town centre was originally aligned with the main roads in and out (at what is now the Worcester Road / Ledbury Road crossroads), albeit forming a relatively limited cluster. However, the industrial era had already brought railways and a canal - although no longer operational in the south-western sector, traces of them are still visible within the town and surrounding landscapes. The requirements of the town's increasing population resulted in built form - including essential services such as a gas works - expanding south-westwards in the vicinity of the now-disused railway.
- 4.59 The town grew significantly in the mid- to late 20th century, with new residential development spreading outwards from its historic core in the areas with least constraints (which included designations, steep topography, and flooding).
- 4.60 The A449 Leaden Way was constructed in 1989 to provide a much-needed by-pass to the town. Presumably, it was also designed to effectively contain the settlement, clearly separating the town from the countryside, and to act as a defensible future boundary to the town's southern and western edges, supplemented with tree planting.
- 4.61 As mentioned above, the site's western boundary is contiguous with the eastern boundary of a recently-allowed residential development site (HC ref. 150884). The planning application was for up to 321 no. residential properties, and it was recommended for refusal by the Council for a variety of reasons, including adverse landscape and visual effects on the AONB and its setting.

- 4.62 Clearly, this decision will substantially change the landscape character (and visual) baseline situation of this area (the development is currently under construction), and will alter the context within which the effects of new development are considered.

Visual Baseline Study Findings

- 4.63 Most visual assessments start with a map showing the proposed development's 'Zone of Theoretical Visibility' (ZTV). Such maps are based on known heights of new built form, and take account of visual screening provided by topography, but not usually by built form or vegetation. In other words, they help the assessor to identify the places from which new development could theoretically be visible, with the final judgements being made 'on the ground'. From this information, a map showing a more realistic 'Zone of Visual Influence' (ZVI) is produced.
- 4.64 No ZTV was included in the LVA, although that would have been helpful. The range of viewpoints from which visual effects were assessed (shown on Plan EDP L4) appear to be a fair representation of the extent of the proposed development's likely ZVI, although my own study identified other publicly-accessible viewpoints within the AONB with views of the site and / or potentially, new built form. Also, in many cases, views are not confined to the single Photo Viewpoints (PVPs) in the LVA, but may continue along sections of the right of way.
- 4.65 The LVA does not identify the locations of residential receptors likely to be affected, although there are several houses in the area that are likely to have views of the site and / or new built form when constructed.
- 4.66 Both my own study and the LVA have made reference to the Malvern Hills AONB Unit's *Guidance on Identifying and Grading Views and Viewpoints*. The application site lies within several 'Exceptional' and 'Special' view corridors from 'Exceptional' and 'Special' viewpoints with views to and from the Malvern Hills.

VIEWS OF SITE FROM WITHIN AONB

- 4.67 In fact, the area within which the site lies is not visible from any of the Exceptional or Special viewpoints on the Malvern Hills, due to the screening provided by intervening topography.
- 4.68 The LVA assessed six viewpoints (LVA PVPs 1 - 6) in the AONB from which the proposed development could be visible. My assessment concluded that there was also the potential for views of the site from other viewpoints within this part of the AONB. The views are described in the visual effects section below.

VIEWS OF SITE AND AONB WITHIN SETTING

- 4.69 The site lies entirely within the Exceptional view corridor from Exceptional VP27 on Marcle Ridge, c. 8km west of the site, and the Special view corridor from Special VP45 on Durlow Common, c. 8km north west of the site. The LVA considered views from Marcle Ridge, at LVA PVP14.
- 4.70 The LVA identified several viewpoints within the setting of the AONB, and from which the proposed development would be intervisible with the AONB - see visual effects section below.
- 4.71 My study identified other important viewpoints of relevance to the AONB and its setting / receptors that were not assessed: i) the view travelling along Leadon Way looking further north west than shown in LVA PVP8, which does not show the AONB's wooded hills - a highly distinctive feature of that view, ii) the historic view along public footpath LR7 which crosses the site, looking north from its southern boundary towards the AONB and the historic parkland at Underdown (the LVA only shows views looking south); and iii) the view travelling along the A417 looking north west towards the off-site mound / ridge and ornamental tree clump, at the town's southern gateway. These are also considered in the visual effects section.

5. Landscape Effects

LANDSCAPE SENSITIVITY

- 5.1 Assessments of landscape effects require judgements to be made about the 'receiving' landscape's levels of susceptibility to change, and its value. The judgments are based on an analysis of the baseline studies' findings, and are used to inform judgments about levels of landscape sensitivity.
- 5.2 Landscape Susceptibility to Change: The LVA concludes that the level of susceptibility to change of *the site itself* is Medium. However, levels of the susceptibility to change of *the landscapes of which the site forms a part*, and which could be directly and / or indirectly affected, are not reported.
- 5.3 Clearly, both the AONB and its setting are highly important and relevant factors to be considered in this aspect of the study, but they appear not to have been factored in to the LVA's judgements about susceptibility.
- 5.4 In my opinion, and in accordance with the criteria used in the LVA, the AONB landscapes in this area are of Very High susceptibility to change, and the landscapes within its setting - and within which the site lies - are at least of Medium to High susceptibility to change.
- 5.5 Importantly, levels of susceptibility to change increase across the site from west to east, especially due to the proximity of the AONB and the town's historic southern gateway - this is a key factor in determining the siting of future built form.
- 5.6 Landscape Value: The LVA concludes that the *site's* level of value is 'local', which presumably is around 'Medium'. That is surprising, as the conclusion includes the fact that the site *'does form part of the 'setting' to the AONB landscape'*, a factor which *increases* levels of value to a much higher degree than 'local' or 'Medium'.
- 5.7 Furthermore, there appears to be no analysis in the LVA of the site's historic and present functions, which are also important factors in judgements about levels of value: para. 2.12 of the LVA states that *'The large majority of the site is arable land of negligible intrinsic value'* (my emphasis), but as set out above, my own analysis identified several key functions that the area within which the site lies performs, and which contribute to its value.
- 5.8 In addition, several of the baseline landscape features that contribute to value (listed in the baseline section above) do not appear to have been factored in to the LVA's judgements.
- 5.9 It is also important to note that when HC's landscape officer objected to the adjacent (150884) development, his opinion was that *'To the east of the proposed site are the nearby Malvern Hills Area of Outstanding Natural Beauty. The AONB and its surrounding rural areas offer a valued amenity and visually important landscape. The present rural site has a visual proximity with the AONB... This proposed development would therefore not protect or enhance this valued landscape and its high value agricultural soils'* (my emphases). The 150884 site is, of course, further from the AONB than the application site, and has a limited relationship with it; it is on lower-lying land, and located very close to existing urban built form. For these reasons, it is less vulnerable to change than the land further east.
- 5.10 In my opinion, and in accordance with the criteria used in the LVA, the AONB landscape is of Very High value, and in this area, the landscapes within its setting - and within which the site lies - are at least of Medium to High value. Also, as with susceptibility, levels of value increase across the site from west to east.
- 5.11 Landscape Sensitivity: The LVA concludes that the landscapes of both the site and surrounding area are of Medium sensitivity. That is the logical outcome of a combination of the predicted Medium levels of susceptibility to change and value.
- 5.12 As explained above, my assessment judged the levels of both to be higher; in my opinion, the AONB landscape in this area is of Very High sensitivity, and the landscapes within this part of its setting, and within which the site lies, are at least of Medium to High sensitivity. However, levels of sensitivity are highest at the eastern end of the site.

MAGNITUDES OF EFFECT

- 5.13 Once levels of receptor sensitivity are established, the next stage of the assessment process requires predictions to be made about the levels of 'magnitudes of effect' (or 'change') to which the proposed development is likely to give rise. In order to do this, it is important to understand the *nature* of the likely effects. As well as loss of agricultural land in open countryside and the introduction of new houses, the assessment should consider factors such as the urbanising influences of the proposed roundabout / access, infrastructure, activity, noise, lighting and so on.
- 5.14 The LVA did not appear to consider any of these.
- 5.15 Since the application is in outline, some effects cannot be predicted with certainty, since the masterplan is only illustrative at this stage; however, it is possible to assess the principal effects, and their likely extent and degree, on the basis of what is proposed, including the mitigating measures
- 5.16 The LVA predicts that overall, the magnitude of effect would be High Adverse: the LVA criteria for this level of magnitude include '*addition of prominent conflicting elements*' in the landscape. I broadly agree with this conclusion.

EFFECTS ON LANDSCAPE CHARACTER

- 5.17 The LVA predicts that the level of effects on the landscape character of the site and its 'immediate context' would be **Major to Moderate Adverse**, reducing to Moderate Adverse after 15 years or so once screen planting had started to become effective.
- 5.18 However, unfortunately, the LVA has conflated landscape and visual effects, which means that the results of the studies cannot be relied on. For example, LVA para. 6.14 considers effects on the character and setting of the AONB (and Ledbury), yet states that '*the effect of the proposals on their character is assessed in terms of the effects of the proposals on the views...*'.
- 5.19 It is important to understand the difference between 'character' and 'appearance': effects on landscape character arise as a result of certain changes to the baseline situation, regardless of how visible they are and who can see them.
- 5.20 My own assessment considered landscape and visual effects separately, following the process set out in GLVIA3.
- 5.21 Also, the LVA seems to suggest that this level of effects would be confined to the site and the areas very close to its boundary: I disagree with that opinion. My assessment concluded that the Major to Moderate Adverse level of effect would extend across the local landscapes - which form an integral and important part of the AONB's setting - where they lie within the proposed development's *physical* (NB not just *visual*) area of influence, which includes the western slopes of the AONB.
- 5.22 This judgement takes into account the receptors, features, functions and other factors identified in the baseline section above, and the proposed mitigating measures. In respect of the latter, which are described in Section 2 above, as the application is in outline, the measures are only indicative at this stage.
- 5.23 Whilst I do not agree with the LVA's conclusion that the Major to Moderate Adverse level of effect could be reduced by mitigating measures based on the scheme as currently proposed, the fact that the site's landscape character is more sensitive at its eastern end means that restricting built form to the areas of lower sensitivity could potentially lower overall levels of effects on landscape character (see Recommendations below).
- 5.24 In summary, the proposed development would result in considerable and unacceptable levels of harm to, and would neither conserve nor enhance, the sensitive landscapes of the western edge of the Malvern Hills AONB and those of the AONB's wider setting. Nor would it conserve or enhance the character of the historic gateway to Ledbury from the south - the roundabout is on the AONB's boundary, and manages to be respectful of its distinctive character and special qualities.
- 5.25 In this regard, the scheme would not deliver against the AONB Management Plan (2014 - 2019), the core purpose of which is to conserve and enhance natural beauty.

- 5.26 Whilst the site's area of influence within the wider landscape is relatively limited, it does display some of the key characteristics of, and is a good representation of, its host national and countywide landscape character areas / types.
- 5.27 The LVA did not assess effects on the relevant NCAs (effects would be negative), and did not consider the NCA SEOs. For example, NCA 100 SEO 2 states: *'Protect and enhance the natural and historic environment, integrating new development through the use of green infrastructure principles informed by existing heritage, geodiversity and biodiversity assets'*. I do not consider that this SEO would be fulfilled by what is proposed (see Recommendations below).
- 5.28 Effects on the host Principal Timbered Farmlands LCT would also be negative. In terms of settlement patterns appropriate in the LCT, the County's LCA SPD states, *'Modern development favouring groups or clusters of new houses would not be appropriate in this landscape'*. My analysis of local landscape and settlement patterns led me to conclude that the scale and form of what is proposed would be contrary to this guidance; however, development of a smaller scale, sited to avoid the 'clustering' effect, could potentially be more appropriate in this regard (see Recommendations below).

6. Visual Effects

- 6.1 Changes to the landscape's character may be visible to certain people in certain places. The process of assessing levels of visual effects is the same as the process for assessing landscape character effects, i.e. it is necessary firstly to establish levels of susceptibility to change, value, sensitivity, and the proposed development's likely magnitudes of effect.
- 6.2 The site's visual area of influence is relatively limited in the wider landscape due to surrounding topography, the town's built form, and dense, mature vegetation, although there is the potential for long-distance views of the site from some directions.

VIEWS OF SITE FROM WITHIN AONB

- 6.3 The LVA assessed six viewpoints (LVA PVPs 1 - 6) within the AONB and from which the proposed development could be visible. My assessment concluded that there was also the potential for new built form to be visible from other viewpoints within this part of the AONB, although visual effects would probably be similar to those described below, depending on the elevation and angle of the view, and the presence / absence of any screening / filtering elements.
- 6.4 PVP1 is an open view from the unregistered historic parkland at Underdown, looking south west across the application site. The LVA concluded that the level of visual effect would be Major to Moderate Adverse; in my opinion it would be at least that high - the adverse magnitude of effect could well be higher than the Medium level predicted in the LVA, and effects on this receptor potentially **Major Negative** and significant, depending on how much built form is visible (the photo for PVP1 suggests a great deal) and what it looks like from this elevation and angle of view (see below).
- 6.5 The view is across good, quality, open rural landscapes with very little residential built form visible (the 150884 development west of the site may not be visible from this VP when constructed). These qualities are important characteristics of Underdown's setting, given its relationship to the countryside beyond (which includes visible historic parkland remnants - there is potentially an historic link between them).
- 6.6 PVP2 is a view at the A417 / A449 roundabout on the AONB's boundary, looking south west towards the site. This is a key viewpoint, especially as it reflects the good quality landscape context and setting of the AONB and the town. The photograph from PVP2 demonstrates that the 'eye-catching' ornamental tree clump and the high mound east of the site are important features of the view, and the lack of visible built form is an important aspect of the view.
- 6.7 As with landscape character (although additional factors to consider include elevation and angle of available views), the site is more visually sensitive at its eastern end, closer to the AONB.

- 6.8 My concern is that the proposed development could breach the distinctive skyline formed by the mound and tree clump, an effect which would be visible not just at this location but at other viewpoints not assessed in the LVA (see below).
- 6.9 The LVA predicts that levels of effects on visual receptors at PVP2 would be Minor Adverse. I disagree with this prediction.
- 6.10 Firstly, it is based on the assumption that all visual receptors are of Low sensitivity; however, some receptors will be of far higher sensitivity, especially visitors to the AONB (High to Very High), whose purpose of the visit is to enjoy its natural beauty. Also, people in residential properties are generally High or High to Very High sensitivity receptors.
- 6.11 Secondly, the LVA indicates that built form is indeed likely to breach the skyline formed by the mound, stating, '*Built form would be visible straddling the crown at the north-east corner of the site's ridge*'. In my opinion, the level of effects on the highest sensitivity receptors at this viewpoint is likely to be at least **Moderate to Major Adverse**. I recommend that the appellant is asked to provide long sections between these receptors and the proposed development, in order to determine how built form can avoid breaching the ridgeline at these highly sensitive locations (it would not be acceptable to rely on new planting to screen, only topography).
- 6.12 I also recommend that the appellant is asked to undertake an assessment of effects on views along the A417 looking north and north west in the area between PVPs 2 and 3. In particular the assessment should consider the functions of that area, especially a) its contribution to the rural and unspoiled context and setting of the AONB, the historic parkland, and the town, and b) as an historic gateway to the town which is characterised by the AONB's visually-defining wooded hills.
- 6.13 Long sections between these receptors and the proposed development should also be provided, to determine whether or not built form would breach the ridgeline.
- 6.14 PVPs 3, 4, 5 and 6 are along public footpaths within the AONB, on the wooded slopes at the southern end of Coneygree Wood, looking towards the application site.
- 6.15 The areas of dense woodland on the slopes do filter / screen views of the site, but there are also several unwooded areas, especially associated with the historic parklands north east of the site (Ledbury Park and Underdown) across which open, long-distance, unsettled rural views open up.
- 6.16 The LVA notes that at certain points, built form is likely to be visible, especially that proposed on the southern side of the site (the field which lies in between the two woodland blocks), and I agree. However, the LVA concludes that levels of effects on receptors at all these viewpoints would be Negligible / Neutral, whereas in my opinion, at viewpoints from which built form could be seen, the effect would be at least **Moderate Adverse**, not Negligible / Neutral.
- 6.17 It would be advisable to reduce the degree of harm arising at these (and other) viewpoints by excluding new built form from the southern field altogether (see Recommendations below).

VIEWS OF SITE AND AONB WITHIN SETTING

- 6.18 The LVA identified several viewpoints within the setting of the AONB, and from which the proposed development would be intervisible with the AONB.
- 6.19 As set out in the baseline section above, from viewpoints along, and on the slopes of, Marcle Ridge, there are high quality panoramic views towards the Malvern Hills AONB, and the landscapes between the Ridge and the AONB are part of its setting. One of the viewpoints on the Ridge (VP27) is classified as 'Exceptional', and the site lies fully within its view corridor. Ledbury can be seen from these areas, but from these distances, it is difficult to identify individual features in the vicinity of the site with the naked eye.
- 6.20 I agree with the LVA's conclusion that effects on views from the Ridge at PVP14 (and thus from the AONB's 'Exceptional' viewpoint) are likely to be Negligible.
- 6.21 I also agree with the LVA that levels of effects experienced by visual receptors at longer-distance PVPs 12 and 13 would be Minor Adverse / Neutral and Moderate to Minor Adverse respectively, and that there is the potential for these levels to decrease over time as new screen planting starts to become effective.

- 6.22 In relation to middle- and near-distance views, my assessment concluded that the higher, eastern part of the site closest to the AONB is the most visually sensitive, and the western part is least visually sensitive (on the basis that a) the new development now being built south of Leadon Way has reduced that area's level of visual sensitivity, and b) the land is lower-lying).
- 6.23 The LVA predicts that levels of effects on receptors at PVPs 10 and 11 would be Negligible. In my opinion, levels would be higher, especially as the sensitivity of the receptors is given as Low when in fact some receptors would be tourists on their way to visit the AONB.
- 6.24 PVP9 is a view towards the site from beyond its southern boundary, along public footpath LR7. The LVA predicts Minor Adverse effects on these receptors, but in my opinion, the level would be higher given the proximity of the proposed development to the footpath. The degree of adverse visual effect would be reduced by excluding built form from the southern field.
- 6.25 PVP7 is a view from LR7 on the site's northern boundary (Leadon Way), looking south along the footpath. The LVA predicts that levels of effects on these receptors would be Major to Moderate Adverse. However, the photograph in the LVA does not show the view looking further south west as it would be experienced by the viewer. In my opinion the level of effects is likely to be higher.
- 6.26 The LVA did not assess effects on views along footpath LR7 looking north towards the town (see Recommendations below). As mentioned in the baseline section above, the path is along the line of an historic trackway leading to the town from the south. It affords fine views of the town's distinctive setting to the east - the dramatic uplift of the wooded hills which are so characteristic of this part of the AONB, and the historic parkland at Underdown. Levels of effects on receptors travelling north through the site would almost certainly be Major Adverse.
- 6.27 As set out above, the submitted plans show the line of LR7 diverted to the east of the proposed built form, and it is not clear from which line views were assessed in the LVA. This requires clarification.
- 6.28 The LVA did not assess effects on what in my opinion is one of the most important public views of the AONB in the vicinity of the site, i.e. views along Leadon Way looking east / north east along the site's northern boundary. The topography of this part of the AONB is such that the land rises steeply due east of Ledbury, but falls away less steeply south east of the town. The views looking along Leadon Way when travelling east change as one travels from its western end to its eastern end.
- 6.29 At the western end of the site, the angle of the view from the road (looking to the south east), is such that the new development would almost certainly entirely block the existing view of the AONB, although from that location, the AONB's wooded hills only form a small proportion of that view. Nonetheless, the change from what exists at present (good quality rural open countryside) to what is proposed (modern houses and other urbanising features and influences, including the new roundabout and access), is likely to give rise to a high level of adverse visual effects.
- 6.30 Travelling further east along Leadon Way, the road curves round to the north east. At a point not too far from the site's western end, the prominent wooded hills of the AONB south east of the town come into focus, and form the distinctive skyline. The further east one travels, the more that view opens up.
- 6.31 It is an important view because for many visitors, it is the 'gateway' to the AONB and the town which they have come to visit. Currently, it is a very good representation of the good quality rural landscapes which form the AONB's immediate setting. Although the new development to the west will introduce new houses into views along Leadon Way from the 'Full Pitcher' roundabout to a point near the application site's western boundary, the houses will only have minor intervisibility with the AONB, albeit they will breach the skyline. And, these viewpoints are further away from the AONB, on lower-lying land with a more urbanised character.
- 6.32 As one rises up the hill, one approaches the AONB and the A417 / A449 roundabout at the town's southern gateway. At this point, the quality, value and sensitivity of the view increases significantly. Importantly, there is little or no built form in the view, which is highly characteristic of this part of the AONB.

- 6.33 As set out above, some of the visual receptors (i.e. people on their way to visit the AONB) will be of High to Very High sensitivity.
- 6.34 My own assessment concluded that without mitigation, levels of effects on the highest sensitivity receptors are likely to be **Substantial Adverse**.
- 6.35 I recommend that the appellant is asked to assess effects on views along Leadon Way when receptors are travelling east, from the site's western end to its eastern end. Incidentally, the LVA does not appear to consider effects on character or views arising from the new roundabout and access into the site, so that should also be included.
- 6.36 Such an exercise would determine whether any mitigating measures could help to reduce the very high levels of negative effects likely to arise at this point. Of course, effects arising from the mitigating measures themselves should also form part of the assessment.

7. Conclusions and Recommendations

- 7.1 My assessment concluded that the proposed development would give rise to **Moderate to Major Negative** effects on the character of the landscapes which form an important and integral part of the AONB's (and Ledbury's) context and setting, and that the majority of these effects could not be mitigated.
- 7.2 It also concluded that effects on certain visual receptors - including tourists visiting the AONB - would be **Substantial Adverse** and potentially 'significant'. However, more information is required to help determine whether the level of effect could be reduced through further mitigating measures.
- 7.3 Having considered all the aspects of the various landscape and visual issues in the round, I concluded that in its present form, and taking into account the mitigating measures currently proposed, the scheme is unacceptable. It would certainly not protect or enhance the area's landscape character, nor its visual amenity.

Planning Policy

- 7.4 In my opinion, as a result of the above, the proposed development does therefore not comply with the relevant requirements of the National Planning Policy Framework (NPPF), HC's Core Strategy, nor with those of material guidance.

NATIONAL PLANNING POLICY

- 7.5 NPPF paragraph 115 is relevant in this case, due to the proposed development's proximity to the AONB, and the fact that it lies within, and would cause harm to, its setting.
- 7.6 Para. 115 requires that in any decision, '*great weight should be given to conserving landscape and scenic beauty*' in AONBs.
- 7.7 Para. 131 of the NPPF emphasises that in determining planning applications, local authorities should take into account '*the desirability of new development making a positive contribution to local character and distinctiveness*'.

LOCAL PLAN POLICY

- 7.8 Herefordshire's Core Strategy was adopted in October 2015. The relevant policies include SS6 - Environmental Quality and Local Distinctiveness; LD1 - Landscape and Townscape; LD3 - Green Infrastructure; LD4 - Historic Environment and heritage assets; and SD1 - Sustainable Design and Energy Efficiency.
- 7.9 These policies reflect what is emphasised throughout the Core Strategy, namely the importance of recognising, conserving, protecting and enhancing the County's natural and cultural assets, and the special qualities of its landscapes (whether designated or undesignated). All of these give rise to local distinctiveness and sense of place. The Core Strategy fully recognises the key contribution that Herefordshire's unspoilt and highly distinctive landscapes make to the local economy, especially tourism in and around the area's AONBs and its black-and-white market towns and villages.

- 7.10 My assessment concluded that the proposed development would not comply with the relevant requirements of these policies.

MATERIAL GUIDANCE

- 7.11 The proposed development would not deliver against the AONB Management Plan (2014 - 2019), the core purpose of which is to conserve and enhance natural beauty. The Plan seeks to protect the AONB, its setting, and views from and towards it.
- 7.12 The scheme does not demonstrate compliance with the AONB Unit's published guidance, nor with the Council's LCA SPG.

RECOMMENDATIONS

- 7.13 In terms of landscape character effects, the level of harm could almost certainly be reduced by restricting the amount and location of built form, as set out above - the easternmost part of the site is the most highly sensitive, but the southern field is highly sensitive as well.
- 7.14 I have seen a plan which I assume was drawn by the Council's case planning officer, that shows the site divided into coloured 'parcels' that reflect the field boundary patterns. The eastern end is pink, the southern field is yellow, and the rest is blue, the recommendation being that development is restricted to within the blue area (and potentially, woodland planted in the yellow area).
- 7.15 From a landscape character perspective at least, this could potentially reduce levels of effects to more acceptable levels, and the plan reflects my own assessment's findings and recommendations.
- 7.16 In terms of levels of visual effects, there are measures that can be taken to reduce them in certain cases, such as siting, quality of design, choice of materials and colours, landscaping and so on, and guidance to which the applicant's assessors / designers should refer². However, from certain viewpoints both within and in the setting of the AONB, there is the potential for even a reduced scheme (i.e. on the blue land only) to give rise to Substantial Adverse and potentially significant effects, and I am not convinced that the level could be reduced by mitigation.
- 7.17 Should the applicant decide to proceed with the current scheme (which I understand to be contrary to the case planning officer's advice), in addition to the supplementary information required by the LPA, the information listed below should be provided. It is required in order to fully ascertain levels of landscape and visual effects, and the feasibility / effectiveness of mitigating measures. Compensation measures should also be considered where adverse effects cannot be mitigated:

i. Long Sections:

To be drawn at different angles between points along Leadon Way and points between PVPs 2 and 3 along the A417, through the application site. Indicative built form and landscaping at 15 years maturity to be shown. Include sections through the mound and tree clump east of the site. VPs at human receptor eye level. This will establish where built form is likely to breach / interrupt the skyline. Screening should be by existing topography, and should not rely on existing vegetation or new planting.

ii. Additional Viewpoint Assessments:

- A. Assess effects of development on views along the A417 looking north and north west in the area between PVPs 2 and 3. In particular the assessment should consider the functions of that area and effects on these, especially a) its contribution to the rural and unspoiled context and setting of the AONB, the historic parkland, and the town, and b) as an historic gateway to the town which is characterised by the AONB's visually-defining wooded hills.

² Choices should be informed by the AONB Unit's published guidance, for example the *Landscape Strategy and Guidelines*, *Guidance on Identifying and Grading Views and Viewpoints*, *Building Design Guide*, and *Guidance on the Selection and Use of Colour in Development*, all of which are relevant for sites in the setting of the AONB as well as within it.

- B. Assess effects of development on views along footpath LR7, from point where it enters the site and points further north, looking north towards the AONB. As mentioned above, the applicant's illustrative masterplan and the LVA plans do not show the correct definitive map line of LR7 - instead, it is shown to be diverted; however, I could not find any reference to the diversion in the documents I consulted, and this requires clarification. The assessments should fully explain and properly reflect what is proposed.
 - C. Assess effects of development on views along Leadon Way when travelling east, from the site's western end to its eastern end, factoring in the site's proximity to the AONB and the contribution it makes to its setting. Effects on both visual amenity and landscape character arising from the new roundabout and access into the site should also be assessed and reported. Such an exercise will determine whether any mitigating measures could help to reduce the very high levels of negative visual effects predicted. Of course, landscape and visual effects arising from the mitigating measures themselves should also form part of the assessments.
- 7.18 Should the applicant decide to proceed with the reduced scheme, the above studies would help to inform fundamental matters such as the most appropriate and acceptable areas on which to site built form, maximum roof heights, mitigating measures / compensation and so on.
- 7.19 Which ever option is pursued, consideration should be given to retaining as many Category A trees on the site as possible - it appears that there would be Category A tree loss as a result of the scheme as currently proposed. Furthermore, at least one of the trees has 'veteran' status, and this should be robustly protected. Also, some of the Category B trees are maturing well, and make good contributions to local landscape character - as many of these as possible should be retained.
- 7.20 I would also expect Green Infrastructure (GI) to form an integral part of the applicant's design approach. GI did not appear to have been factored in to the assessments at all, even though GLVIA3 notes that *'Green infrastructure is not separate from the landscape but is part of it... LVIA will often need to address the effects of proposed development on green infrastructure as well as the potential the development may have to enhance it.'*
- 7.21 In this respect, reference should also be made to HC's GI Strategy (2010) and the AONB Unit's guidance where relevant.
- 7.22 As far as I could see, there is no consideration of night-time lighting effects on landscape character and visual amenity in the appellant's submission. The LPA may consider requesting this if such effects are of concern.
- 7.23 Finally, and importantly, consideration should be given to a future southern edge of the town (potentially its settlement boundary). Ideally, the edge should follow the most characteristic natural / cultural features in the landscape such as historic hedgelines (those which have been lost could be restored).
- 7.24 This would, however, require further and more strategic analysis of the landscape character and visual amenity of the area, its biodiversity, recreation / access provision, and GI assets and functions (as mentioned above).
- 7.25 Whilst its LCT is Principal Timbered Farmlands, 19th century maps of the area show that there was little woodland present south of the town at that time - the landuse was a mixture of arable, pasture and orchard. The woodland blocks that lie on the site's boundaries are relatively modern plantation woodlands, which are likely to be short-lived, although they are not locally-uncharacteristic and in themselves are valuable GI assets.
- 7.26 The new southern edge to the town should run from the A417 to Dymock Road. An obvious feature to connect with is the old orchard at Hazel Farm, west of Dymock Road. The historic parkland remnants should be retained, and lost but valuable features such as orchards and avenues restored, all forming part of the new 'green edge'.
- 7.27 It is important that the edge is not an artificial, conspicuous, linear and uniform belt like Leadon Way; instead, the aim should be to establish an organic mosaic of different / differently-shaped and sized but locally-characteristic features, habitats and landuses that

interconnect from west to east. The width of the green edge could vary, but it should be generous enough to ensure that it has a strong and meaningful physical presence, and is defensible.

- 7.28 Such an approach would clearly and appropriately articulate the edge of the town. This in turn would help to conserve and enhance its rural context and setting, and that of the Malvern Hills AONB.
- 7.29 Furthermore, it may be feasible for there to be public access and informal recreational opportunities through the green edge. It would then function as a 'multi-functional green corridor', bringing benefits not just for the existing and new local communities, but for visitors on their way to and from the AONB.

Carly Tinkler BA CMLI FRSA February 2018