

**Planning Application No. 21/0020/OUT - Land Off Pendragon Road, Exeter  
LVA Review, Landscape Siting Considerations and Landscape Policy Review**

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**January 2022**

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**EXECUTIVE SUMMARY**

- a. My name is Anne Priscott, I am a chartered landscape architect with over 25 years experience. I have reviewed the LVA and proposals for this site at the request of Exeter City Council to address the landscape and visual impact issues relating to the proposed housing development on land off Pendragon Road. Through my review I consider the effects of the proposed development upon the landscape and visual receptors and landscape related policy.
- b. A number of studies have been undertaken that underpin the Local Plan and the development policies set out within it. These evidence-base studies are appraised. They form a key part of the landscape analysis. The site on the southern edge of **Zone 3** identified in the **Exeter Fringes Study (2007)**.
- c. **Zone 3** is a very extensive zone that includes the site on the south-eastern edge. The sensitivity of Zone 3 including the site is assessed as being high. High equates to: *key characteristics of landscape are very vulnerable to change and / or have significant value as a landscape resource*.
- d. The capacity for **Zone 3** is set at low, whereby the: *thresholds for change are very low and the area is unable to accommodate development without significant adverse effects*, further articulated in the supporting text where no capacity for housing is recorded.
- e. The application documents were reviewed by the then Council's Place Making Officer Chris Westlake before he retired in spring 2021. His and the planning officer observations led to the request for an LVA and other additional supporting information.
- f. The Application LVA, submitted in July 2021, is very scant, and in failing to consider landscape value, susceptibility to change and sensitivity to either landscape or visual change, and in not analysing the site in the context of the broader city and landscape setting, does not meet the standards for LVA required by the Landscape Institute as articulated through GLVIA3.
- g. The site is contained within the wider city area boundary, within the setting of the city, but it is located outside of, albeit adjacent to, the urban boundary identified on the **Local Plan Proposals Maps**.
- h. The site, whilst not on the skyline from more distant views, does occupy an elevated position on the slopes which are covered by **Policy Area LS1** that identifies land contributing to the **Landscape Setting of Exeter**.
- i. There is an overarching landscape and policy objective to protect important views to and from the hills surrounding the city of Exeter.
- j. There is a policy objective to protect the landscape's rural character in close proximity to urban areas by resisting piecemeal urban expansion and recreational developments which undermine landscape patterns and sense of place. This is one of the starting points when reviewing this development in relation to the landscape, views and policy objectives. This site falls within the category of a piecemeal development.
- k. Therefore, having reviewed the LVA and policy objectives of the City Council, the development as proposed would not accord with the objectives of Policy LS1 of the Exeter Local Plan First Review and Policy CP16 of the Exeter Core Strategy. The development would result in harm to the character and local distinctiveness of this rural area. This would be highly detrimental, contributing to the urbanisation of the rural area and detracting from the rural green hillside setting.
- l. The creation of vehicular access on the south-western and south-eastern sides of the site onto Pendragon Road would create unacceptable adverse impacts that would impact on the existing spaces between the site and Pendragon Road.
- m. In this regard, should the site be consented for outline planning, the access routes as shown would fail to deliver the objectives of policy DG1, particularly sub-sections a, b, c, f and h.

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- n. The development of the site in this location would result in the loss of two sections of linear boundary feature fronting onto Pendragon Road and probably a section of hedge dividing the two fields. This would be detrimental to the visual landscape character and appearance of the area. These trees are healthy and would not have to be removed in the absence of the application. The tree survey describes these trees, particularly those in group 7, as being high value features of landscape and ecological value and key trees / feature. Root protection zones are not shown on any of the submitted documents to show if the proposed access arrangements would impact on any other individual trees or tree groups.
- o. Clearly there is a stated intention in Policy CP16 that the hills forming the setting of the city are to be protected. This is unequivocal. In addition, the Core Strategy Key Diagram clearly shows the combination of the landscape setting and valley parks as being fundamental elements in maintaining the objectives set out in para 4.11 of the Core Strategy; *by: (4<sup>th</sup> bullet point) steering development away from the hills to the north and north west that are strategically important to the landscape setting and character of the city.*
- p. All of the planning policies, development plan evidence base documents, the landscape character assessments and planning application advice has been consistent in showing graphically and documenting this strategy.
- q. Taking this back to the national level, the NPPF (2021) states clear objectives, in relation to achieving well-designed spaces, at paragraph 130. The development would not accord with NPPF paragraph 130 sub-sections a, b (access) and c. In addition, the proposals as presented conflict with NPPF Paragraph 174.

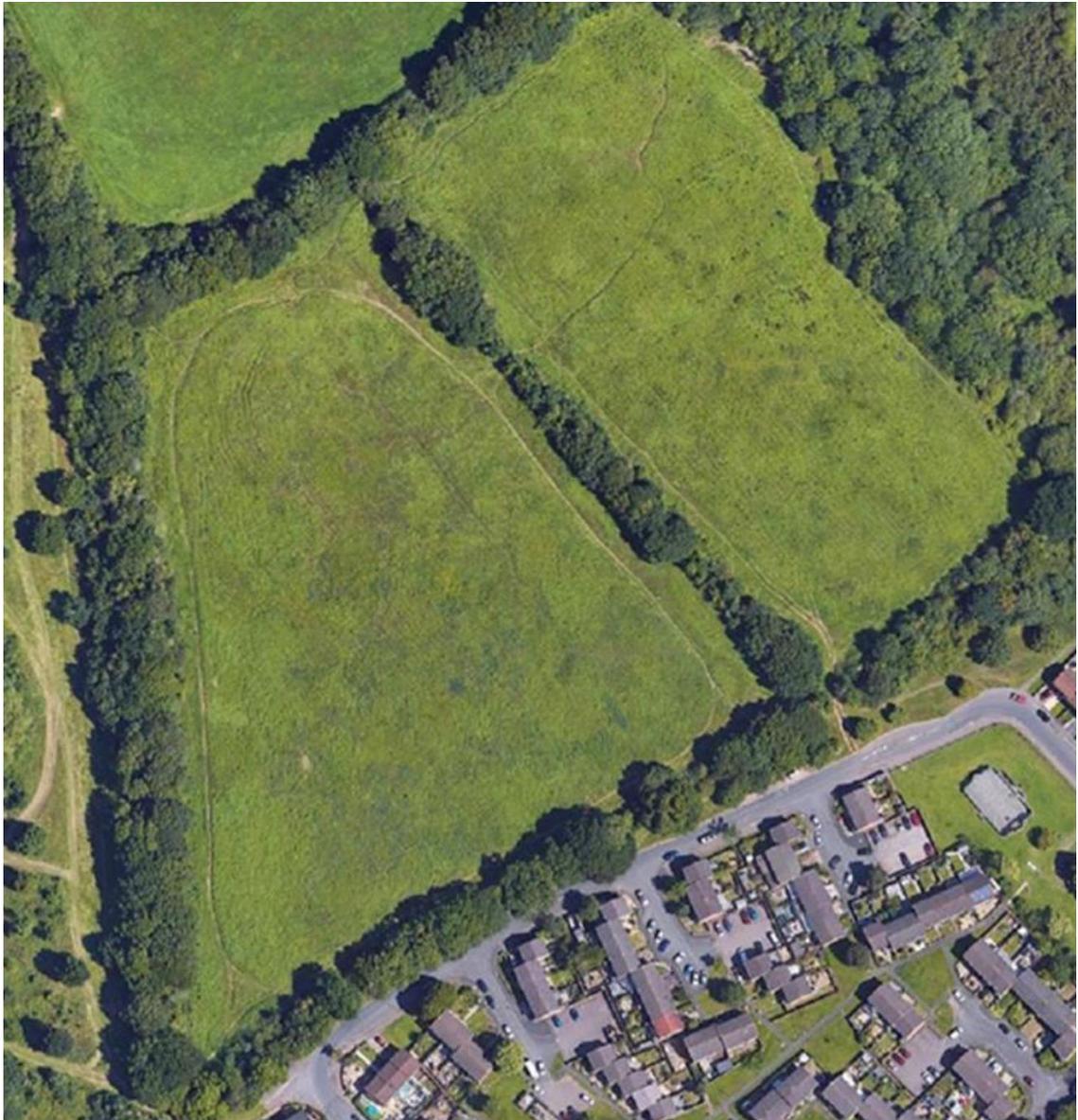
Anne Priscott (CMLI)

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**Introduction**

- 1 An outline planning application for residential development at Land off Pendragon Road, Exeter has been submitted to Exeter City Council. The application seeks permission for the construction of up to 100 dwellings, with all matters reserved for future determination, with the exception of access.

**Figure 1: Site Location: Two fields shown in aerial photograph extract below**



- 2 The following document sets out a review of the landscape character assessment and landscape policy relating to the site and the proposed development, a review of the Illustrative Layout Plan for the site (**Figure on cover**), landscape impact documentation and other relevant documents submitted with the application to assist the planning case officer in determining the application.

## Introduction to the Relevant National and Regional Landscape Designations within the Study Area

### Development Plan Policies

- 3 **The National Planning Policy Framework** (2021) sets out the overarching policies and guidelines within which the proposed development would sit.
- 4 The NPPF (2021) states, in relation to conserving and enhancing the natural environment, at paragraph 174 that: *Planning policies and decisions should contribute to and enhance the natural and local environment by:*
- a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
  - b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
  - c) *maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
  - d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
  - e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
  - f) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

### Development Plan Policies

#### The Exeter City Council Local Plan

- 5 Chapter 11 of the Exeter City Council Local Plan sets out that the landscape setting and nature conservation objectives of the plan are to protect the features and characteristics of the countryside which form the setting of the City and which establish its distinctive identity; and to protect sites and features of nature conservation importance.
- 6 Paragraph 11.4 records that: *The Council has carried out a landscape appraisal of all open countryside in and around the City. Based on this appraisal, open land is identified which is to be protected from development because of its intrinsic merit and its contribution to the distinctive landscape setting of the City.*

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- 7 The site is located on the south-eastern corner of **Zone 3** identified in the **Exeter Fringes Study** (analysed below), running east from Mile Lane across two field parcels.
- 8 The Local Plan sets out at paragraph 11.5: *The continuous nature and sheer size of hills to the north are of major landscape significance, providing the largest and most important part of the landscape setting and containment of the City, which is so essential to its character. The hills extend for 5 kilometres east to west and represent about one eighth of the City Council area outside the urban limit. Although physically separated, this area continues west of the River Exe Valley to include the hills to the north and west of Exwick. Together with the lower lying land of the adjoining valleys of the River Exe, Culm and Clyst, the landscape also forms an integral part of the wider rural scene. By containing the urban area, the hills, which are themselves intrinsically attractive, preserve the pastoral landscape of a large part of East Devon. The links with the Valley Parks (see 7.7-7.22) enhance their value by bringing the countryside well into the built-up area of the City.* The site adjoins the Mincinglake Valley Park, west of Mile Lane.
- 9 The plan sets out at paragraph 11.11: *The appraisal above demonstrates that the open land around Exeter performs a variety of roles including the separation of settlements, maintaining distinct identities and enabling informal recreation. It contains high quality agricultural land and land of nature conservation importance. Overall, it contains land of intrinsic landscape merit which provides the setting for the City as a whole and for local areas. It is the combination of these roles and qualities and their relationship with, and importance to, the population of the adjoining urban area which establishes the unique nature of this land compared to the wider countryside and merits its protection from inappropriate development.*
- 10 The plan sets out at paragraph 11.12: *Development in these areas will not be permitted unless it maintains local distinctiveness and character. Local distinctiveness is that which sets a locality apart from anywhere else. Acceptable uses will be concerned with agriculture or forestry, the change of use, conversion or appropriate extension of buildings or the provision of infrastructure. The Council wishes to encourage rural enterprise and will allow for the re-use or adaptation of agricultural, horticultural and other rural buildings for new uses, providing their form, bulk and general design are in keeping with their surroundings and the landscape quality of the area is protected. Active outdoor recreation will also be permitted, subject to certain safeguards (see 11.14).*

**Policy LS1**

- 11 **Policy LS1** states that: *Development which would harm the landscape setting of the city will not be permitted. Proposals should maintain local distinctiveness and character and:*
- 12 *(a) be reasonably necessary for the purposes of agriculture, forestry, the rural economy, outdoor recreation or the provision of infrastructure; or*
- 13 *(b) be concerned with change of use, conversion or extension of existing buildings:*

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14 *Any built development associated with outdoor recreation must be essential to the viability of the proposal unless the recreational activity provides sufficient benefit to outweigh any harm to the character and amenity of the area.*

15 The site is located within the setting of the city and on land covered by LS1, however, policy LS1 is afforded lower weight than the more recent Core Strategy policies.

**The Exeter City Council Core Strategy**

16 The Exeter City Council Core Strategy policies are relevant to the development proposals.

17 Paragraph 2.27 records that: *The city enjoys a high-quality environment, with valley parks, formal city parks, the Exeter Ship Canal, the Exe Estuary and important wildlife sites. The hills to the north and north west of the city, particularly the ridgelines, give Exeter a distinctive character. The city's varied terrain, influenced by the River Exe and its tributaries, add to its appeal.*

18 Paragraph 10.35 records that: *The Exeter Local Plan First Review identifies several areas of open land, designated as 'Landscape Setting', to be protected from development because of their intrinsic merit and their contribution to the distinctive landscape quality of the city. These were identified following landscape appraisal studies carried out in 1997 and 1999.*

19 Paragraph 10.36 records that: *This issue is thoroughly reviewed in the 2007 Landscape Sensitivity and Capacity Study, which assesses robustly the qualities of the landscape and identifies the extent to which each area has capacity to accommodate development. The study provides the detailed evidence that supports the protection of areas of landscape sensitivity including those areas that provide the strategic landscape setting for the city.*

20 Paragraph 10.37 records that: *These areas, which continue to be designated as 'Landscape Setting', include part of the Clyst Valley, Knowle Hill and the hills to the north and west which have a particularly important role to play in forming an attractive green setting for the city, in addition to their intrinsic landscape value. They are complemented by seven designated Valley Parks that provide 'green lungs' within the city, make an important contribution to biodiversity, provide formal and casual recreation opportunities, and are readily accessible by foot or cycle.*

21 Paragraph 10.39 records that: *The Spatial Strategy (see Section 4) provides for growth to the east and south west of the city in those areas that the Landscape Study concludes are of medium to low landscape sensitivity and have medium to high capacity for development. The 'Landscape Setting' designation in these areas is, accordingly, deleted. Any development in the remaining designated areas, must ensure that the character and local distinctiveness of these areas is protected and enhanced. Further guidance will be set out in the Development Management DPD.*

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**Policy CP16**

22 **Policy CP16** states that: *The strategic green infrastructure (GI) network is shown on the key diagram. The Exeter GI network has been identified to protect and enhance current environmental assets and local identity and to provide a framework for sustainable new development.*

*GI will be an integral part of planning for the urban extensions at Monkerton/Hill Barton, Newcourt and Alphington. New multifunctional areas of green space and green corridors will be created to meet the needs of these new communities. A sustainable movement network will link the urban area to the urban extension and beyond to the open countryside. To the east of the city green corridors, that incorporate multi-use trails (for cycling, walking and horse riding) and provide high quality biodiversity habitat, will link Exeter to the proposed Clyst Valley Park and on to Cranbrook.*

23 *The character and local distinctiveness of the areas identified below, will be protected and proposals for landscape, recreation, biodiversity and educational enhancement brought forward, in accordance with guidance in the Green Infrastructure Strategy, through the Development Management DPD:*

- *the hills to the north and north west;*
- *Knowle Hill to the south west;*
- *the strategic gap between Topsham and Exeter;*
- *and the Valley Parks: Riverside, Duryard, Mincinglake, Ludwell, Alphington to Whitestone Cross, Savoy Hill and Hoopern.*

24 *The Exe Estuary European Site will be protected. Development that is likely to have a significant effect on the integrity of the Exe Estuary, East Devon Pebblebed Heaths/East Devon Heaths or Dawlish Warren European sites will be subject to the Habitats Regulations 2010 and the requirement therein to undertake a Habitat Regulations Assessment. Contributions will be sought from new development towards management and other measures at the Exe Estuary, Dawlish Warren and Pebblebed Heaths and at other European sites as may be justified by the emerging evidence base.*

25 *The biodiversity value of Stoke Woods and Bonhay Road cutting SSSI, and all other sites of national, regional and local conservation importance will be protected, and unavoidable impacts mitigated and compensated for, in accordance with their relative status.*

26 *Biodiversity enhancement areas, for the restoration or creation of new priority habitats, will be identified within the strategic nature areas to the north of the city and in other areas of biodiversity and geological interest. Proposals for these areas will be brought forward through the Development Management DPD.*

27 *Opportunities to provide green corridors, open space and allotments, to enhance cycling and walking opportunities, to link existing habitats, to incorporate environmental assets and to integrate biodiversity, proposed by the Exeter Green Infrastructure Strategy, will be secured through partnership working, direct implementation and the application of Policy CP18 (see Section 11).*

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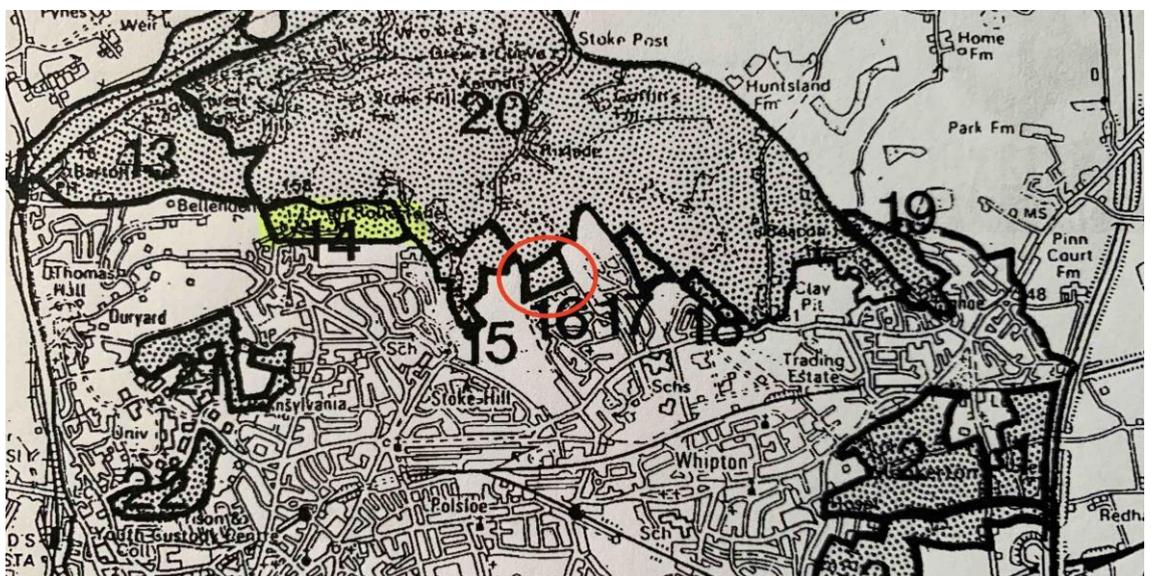
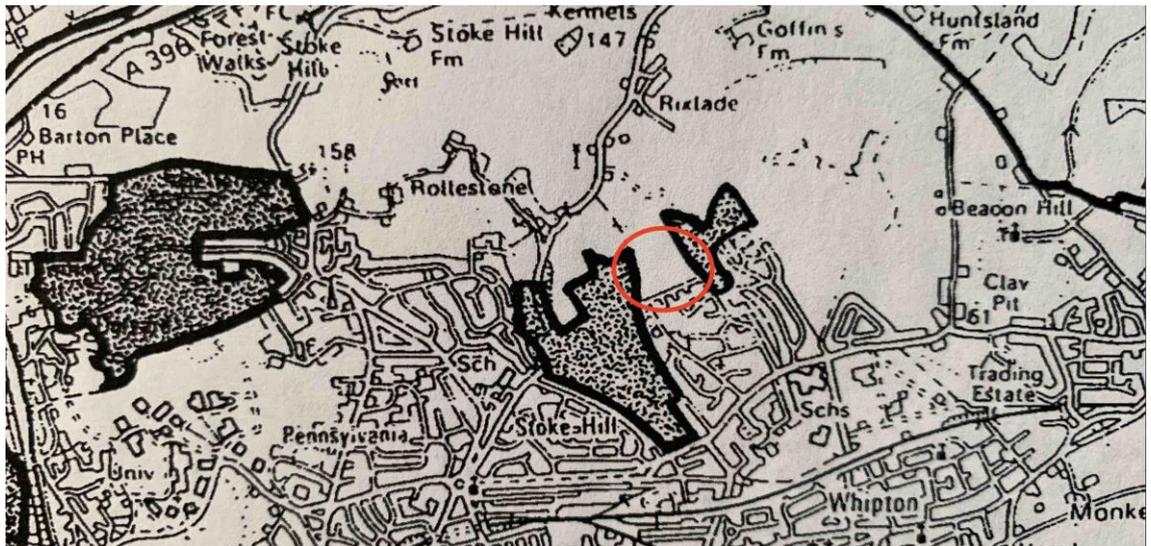
Evidence Base Used by Exeter City Council in formulating their Local Plan.

28 A number of studies have been undertaken that underpin the Local Plan and the development policies set out within it. These evidence-base studies are now appraised. They form a key part of the landscape analysis. The Exeter Local Plan First Review and the Core Strategy make reference to landscape appraisals that have been used to inform the approach followed by the Council in formulating their strategy for managing landscape and green infrastructure issues.

Appraisal of the Landscape Policy Areas and Valley Parks (August 1997)

29 The **Appraisal of the Landscape Policy Areas and Valley Parks (August 1997)** document sets out an appraisal of all the land within the environs of Exeter that was designated in the Exeter Local Plan First Alteration (Adopted November 1993).

Figure 2: Area 16 from Appraisal of the Landscape Policy Areas and Valley Parks (1997) (2 plans)



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30 The document contains an appraisal of 23 parcels of land, including the valley parks all combined into area 23. This site is Area 16, sandwiched between two prongs of Area 23, with Area 20 to the north.

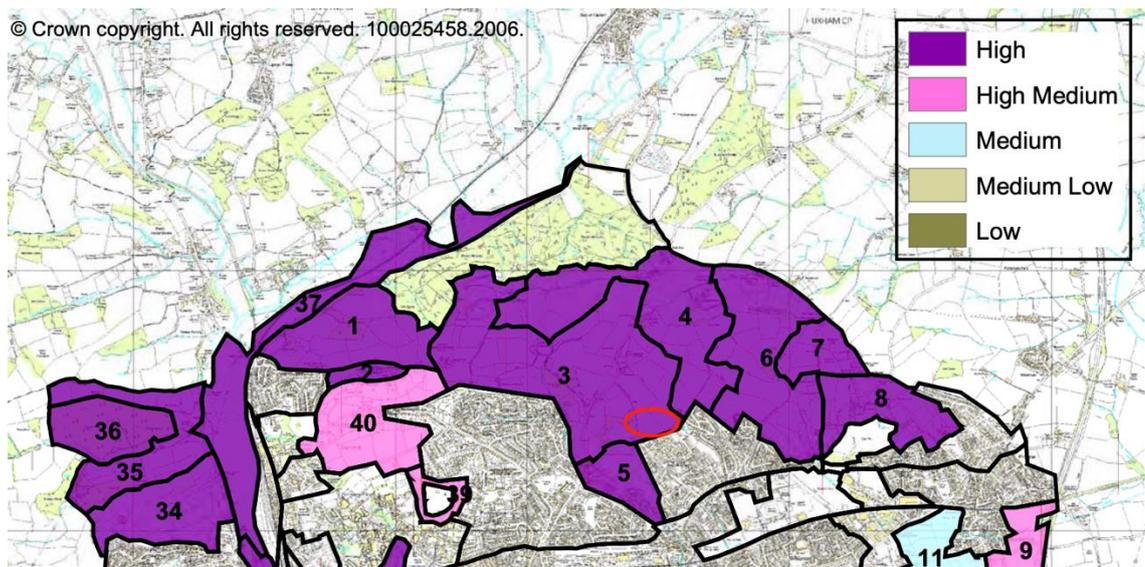
**Exeter Fringes Study (February 2007)**

31 **The Exeter Fringes Study** (February 2007) formed part of the supporting studies for the Core Strategy, and assessed the landscape sensitivity and capacity of the, predominantly, greenfield, fringe areas of the City, updating the 1997 study. The objective of the study was to: *Assess the capacity of the landscape around the fringes of Exeter to accommodate development and to identify those landscapes that should be protected from development, taking into account the value of these landscapes and their sensitivity to change.* The study records at paragraph 1.3 how the City is under significant pressure from development and that there is a need to provide a sound landscape basis to determine which greenfield areas are appropriate for development and those that do not have capacity for development.

32 In this study sensitivity is taken to mean the landscape sensitivity itself, the inherent sensitivity to any change and the capacity relates to the ability of the landscape to accommodate different forms or amounts of change, whether housing or industry.

33 The study considered and reported on 44 zones in the assessment. **Figure 3: Exeter Fringes Study (February 2007) Assessment Zones** shows the parcels of land considered around Exeter, with the application site located within an area identified as **Zone 3**.

**Figure 3: Exeter Fringes Study (February 2007) Assessment Zones – landscape sensitivity**

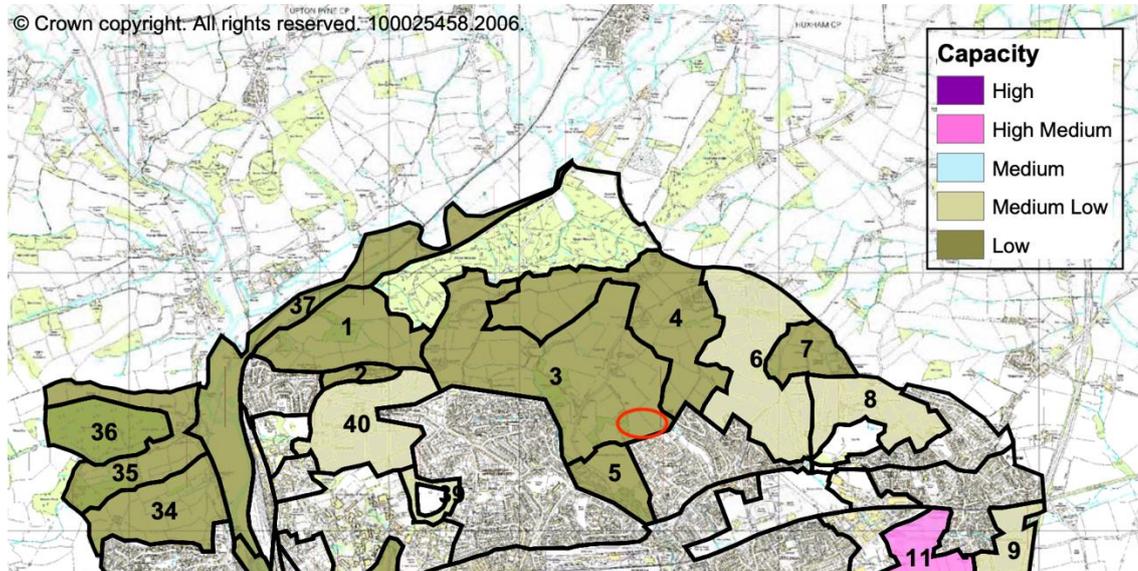


34 **Zone 3** is a very extensive zone that includes the site on the south-eastern edge. The sensitivity of Zone 3 including the site is assessed as being high. High equates to: *key characteristics of landscape are very vulnerable to change and / or have significant value as a landscape resource.*

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35 The capacity for **Zone 3** is set at low, whereby the: *thresholds for change are very low and the area is unable to accommodate development without significant adverse effects.*

Figure 4: Exeter Fringes Study (February 2007) Assessment Zones – housing capacity



36 It might be argued that due to the large size of the zones some of the assessments must represent an average measure of sensitivity, and that rather than accurately assessing the precise capacity of all of the parcels of land within the zone, generalisations will have been drawn. There is some merit to this argument. However, under the justification section the report records for Zone 3 that the: *Prominent hill and valley sides form a strong positive rural backcloth to the city with an important fort and Roman station. The area has no capacity for housing because of its prominence, rural character and intrinsic sensitivity.*

37 This is an absolutely unequivocal statement that goes beyond saying low capacity to articulate no capacity for change of an urbanising form, setting out that the skyline forms a strong backcloth to the city and that it is a highly visible zone. Reinforcing the Council’s view that the hills to the north and west have a particularly important role to play in forming an attractive green setting for the City, in addition to their intrinsic landscape value.

38 It is important to note that by comparison, the justification section the report records for Zone 6 that the: *Prominent hill and valley sides with high intrinsic sensitivity form strong positive rural backcloth to the city. The area has very limited capacity for housing because of its prominence, rural character and intrinsic sensitivity.* (my emphasis). In this regard I draw attention to the application at Spruce Close falling predominantly in Zone 6 that recently had an officer recommendation for approval for a very carefully worked out scheme on less sensitive land whereby a large amount of land would be secured for permanent public enjoyment as part of the scheme. Even this was refused at committee by members.

39 The study offers both broad initial conclusions and provides a very robust starting point for more the site-specific analysis for these two fields set next to each other, set out below.

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**CEC Visual Evaluation Report (September 2013)**

- 40 **The CEC Visual Evaluation Report** (September 2013) produced a Visual Land Parcel Evaluation of a number of sites that the Strategic Housing Land Availability Assessment (SHLAA) had previously identified as unsuitable for development under the current strategic planning policy, but that developers had shown interest in bringing forward.
- 41 The sites were assessed in terms of their visual value and their visual susceptibility in order to identify their visual sensitivity. The site that is the subject of this application is not part of the SHLAA, and accordingly not included in the **2013 Exeter Visual Site Evaluation Study** analysis.

**Conclusions I have Reached on the Council's Documented Landscape Policy Evidence Base**

- 42 The Exeter Fringes Study records conclusions that demonstrate that the most sensitive areas of undeveloped land around the City, with the least or no capacity, were identified as the line of hills to the north and north west of the City, including the land covered by the application site.
- 43 The Core Strategy confirms that the Exeter Fringes Study forms the evidence base used to determine the strategic locations for growth around Exeter. It states that the Exeter Fringes Study: *robustly assesses the qualities of the landscape and identifies the extent to which each area has capacity to accommodate development. And that it: provides the detailed evidence that supports the protection of areas of landscape sensitivity including those areas that provide the strategic landscape setting for the city.*
- 44 All of these studies acknowledge that Exeter has been and remains under significant pressure to identify development land, so it is important to note that the need to identify suitable land for development as well as protecting the more sensitive areas underpinned the overall objectives of all of the studies.
- 45 Chronologically it becomes evident that land has been consented and developed firstly on the least sensitive sites and latterly on some of the more valued and more sensitive locations. None of Zone 3 has been released for housing development.
- 46 The approach advocated by this suite of policy and guidance documents has been used in the following review.

**LVA Review**

- 47 The original application documents were reviewed by the then Council's Place Making Officer Chris Westlake before he retired in spring 2021 (email to Matthew Diamond dated 18<sup>th</sup> February 2021).
- *The site is an integral part of the hills to the north of Exeter which are of major landscape importance and which contains the urban extent of Exeter, providing a setting for the city as well as a rural backdrop to the existing residential areas to the south-west and south-east.*
  - *The site is a component part of the area included in the Exeter Slopes and Hills as identified by the Devon Landscape Character Area Assessment which is described as having a strongly rural character*

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*despite its proximity to Exeter. At a more local level the site is assessed as being part of Landscape Character Type 3A Upper Farmed and Wooded Valley Slopes which identifies more detailed characteristics.*

- *Development of the site would mean extending residential development beyond the built-up area potentially resulting in a harmful effect on the character and appearance of the area.*
- *The loss of this farmland would be to the detriment of the wider landscape and the rural character of the area, of which it is an integral part and could create a detrimental precedent resulting in further proposals on the neighbouring land and potentially piecemeal development elsewhere in the area.*
- *The proposed development of the site would be contrary to Local Plan policy LS1 since it is evidently not reasonably necessary for the purposes of agriculture, forestry, the rural economy or concerned with change of use, conversion or extension of existing buildings.*
- *Similarly, the proposals would be contrary to the core Strategy Policy CP 16 which includes protection of the character and local distinctiveness of the hills to the north of Exeter.*
- *The Exeter Fringes Landscape Sensitivity and Capacity Study identified the site (zone 3) as having a high landscape sensitivity and a low to capacity for housing use.*
- *No context appraisal or assessment of the site and the proposals in the form of a Landscape and Visual Impact Appraisal is provided that might otherwise provide justification for the proposed development.*
- *The southern boundary of the proposed site comprises a Site of Nature Conservation Interest (SNCI) which acts as a green corridor linking the SNCI to the north-east with the Mincinglake Valley Park and SNCI to the west. This would be breached in two places by the proposed access road.*
- *Illustrative Master plan: this suggests that the layout would be generated primarily by the proposed access roads rather than by overarching design concepts and objectives.*

48 His and the planning officer observations led to the revision of the application with the notable addition of a landscape and visual appraisal on 29<sup>th</sup> July 2021.

### Landscape and Visual Appraisal Review

49 The LVA authors usefully set out the LVA structured around:

- Features of the site and its context;
- Landscape character of the site and its relationship to its surroundings; Y
- Landscape-related planning designations;
- Views towards the site; and
- Changes to landscape features, landscape character and views arising as a result of the development proposals.

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50 Due to the timing of the assessment, the work was undertaken in full leaf conditions in June 2021.

51 The LVA authors set out that the LVA was undertaken following guidance set out in GLVIA3. However, it is notable that there is no assessment of landscape value, landscape susceptibility to the proposed development or an assessment of the sensitivity of the site to change. These are key elements of any assessment and without these values being determined, a transparent assessment cannot be undertaken. There is no mention of the Exeter Fringes Study (2007) and there are a number of factual errors in the report that lead to the conclusion that the LVA is not fit for purpose. A few of these are highlighted in the relevant sections below.

**Landscape character of the site and its relationship to its surroundings**

52 LVA Para 3.3.6 correctly records that: The key characteristics of LCT 3A which are relevant to the study area include:

- *Undulating or rolling upper valley slopes.*
- *Pastoral farmland, with a wooded appearance, and arable cultivation on lower slopes.*
- *Small to medium size fields with irregular boundaries.*
- *Deciduous woods and copses, especially on hilltops and upper slopes.*
- *Very wide, usually low, species-rich hedges with many hedgerow trees.*
- *Dispersed settlement pattern of isolated farms and small villages.*
- *Very winding narrow lanes.*
- *An intimate and intricate landscape with wider views often restricted by vegetation.*
- *Frequently remote and tranquil with little modern development.*

53 LVA para 3.6.7 records that: *Many of the key characteristics above apply to the northern half of the study area, that is, to the north of the site. However, the southern half of the study area, south of the site, is almost entirely developed, with largely modern development immediately to the south and south-east of Pendragon Road.*

54 This statement is misleading, in actuality, the site is within the rural hinterland that entirely falls within LCT 3A. The land to the south of the site falls within the urban area. There should be no suggestion that the site is part of the urban area or that there is some notable characteristic that links to the site to the south and separates the site from the rural hinterland. The site is rural and forms the setting of the city and an important part of the ridge that runs between Stoke Hill and Beacon Hill.

55 The only further analysis in relation to landscape character is found at paragraphs 3.6.8-9 where the LVA author states that: *As can be seen from Site Character Photographs A and B in Appendix A, the site is surrounded by mature hedgerows which effectively separate it from the wider countryside.* This is again a misleading statement. There is no perceptual or character change between the site and the land to the north. It is important to note that the level changes between the site and Pendragon Road are substantial and this in combination with the wide verge and trees north of Pendragon Road create a very clearly defined edge to the urban area. It is here that the mature trees and hedges effectively separate the site from the urban area.

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Figure 5: View north towards and including the site from PROW on land north of Ludwell Lane



Figure 5a: View north towards and including the site from PROW on land north of Ludwell Lane - extract



56 The LVA author states in the next section of paragraph 3.6.8 that: *It has a partly pastoral character, with a gently sloping landform, but it is also influenced by extensive urban development to the south.* Again,

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this over-emphasises the urban qualities of the site. There is evidence of relatively uninhibited public access with walking routes around the site, as with most of the fields in the fringe and in the country parks, but this does not make the land anything other than pastoral. This urban influence is not an overriding characteristic.

**Figure 6: View north towards and including the site from land on Pyne's Hill**



- 57 The LVA author states in the next section of paragraph 3.6.8 that: *The deep gully on the north-eastern boundary is completely different; it has a much more dramatic landform with its steep sides and narrow floor and its separation from the rest of the site is emphasised by the extensive tree cover.* This is readily observed.
- 58 The LVA author states in the paragraph (3.6.9): *To the north and east is extensive countryside and to the west is Mincinglake Park, but the strong tree belts completely separate the site from its wider, rural setting.* Having visited the site in both summer and late autumn I have observed that the tree belts to the east and west of the site are strong elements, however, they do not create the stated separation, the links are readily observed, especially when viewed from the distant views afforded from Pyne's Hill and land north of Ludwell Lane (**Figures 5 & 6**). From these long-range viewing positions, that represent very highly valued viewing positions and views, the fields of the site very clearly sit within the rural hinterland and are clearly not urban in character.
- 59 The hedges to the north and south include substantial trees and are both of equal strength when seen in full-leaf and mid-leaf fall conditions. The colour difference of the fields is due to the relatively low level of management and lack of grazing compared to fields farther to the north.

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Figure 6a: View north towards and including the site from land on Pyne's Hill - extract



60 The LVA author states in paragraph 6.2.10 that: *In terms of the site's location within the County Landscape Character Type (LCT) 3A: Upper Farmed and Wooded Valley Slopes, the proposals would not adversely affect the deciduous woods and copses, or the wide, species-rich hedges with many hedgerow trees, which would be retained and managed. A small section of hedgerow would be lost to allow for the site access off Pendragon Road, but the loss would be more than compensated for by new planting within the development.*

Figure 7: Extracts from Proposed Access Drawings



61 Having reviewed the access arrangements, it is very evident that substantial earthworks and regrading are required to access the site from the two points on Pendragon Road, that extend for 70m and 80m for each entrance respectively. The level change to be overcome is between 3-4m at the entrances. The

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drawings show a highly engineered solution that does not show much regard for placemaking. As access is not a reserved matter it is for determination at this stage. The access arrangements as shown are not compatible with the illustrative layout shown for the eastern side of the site as presented in the application. The spaces created would be akin to holloways and would invariably need to be lit for highway and pedestrian safety. In this regard the proposed development would appear somewhat incongruous in the rural hinterland, being a piecemeal development that would not relate strongly to the existing urban area.

62 The access arrangements shown clearly demonstrate the scale of the barriers between the site and the existing development on Pendragon Road. There would be no enhancement of the spaces on and around Pendragon Road, and there would need to be highway works to the corner in the east, and there are no supporting plans or illustrations showing how the development would interface with Pendragon Road. At the eastern end of the site the gap between the two developments would be 50m wide. The gap would be a narrower width to the west, but there would be hard engineering interfaces between the two. It feels unresolved in landscape, urban design and placemaking terms.

63 A number of mature trees would need to be removed, this would open up the view between the two development, the proposed and existing, creating an appreciable impact on a currently intact valued boundary.

### Landscape-related planning designations

64 The LVA does not make any reference to the Core Strategy or CP16 in the early parts of the report, relying only on the Local Plan and LS1 (LVA paras 3.5.6-12), and notably makes no reference to the Exeter Fringes Study 2007.

65 The only reference to CP16 is in LVA at para 6.2.5 and here only one part of the policy is considered: *...landscape, recreation, biodiversity and educational enhancement...*

66 However, as is set out below, the development of the site cannot accord with CP16 when taken as a whole. The policy wording states (with my emphasis): *The character and local distinctiveness of the areas identified below, will be protected and proposals for landscape, recreation, biodiversity and educational enhancement brought forward, in accordance with guidance in the Green Infrastructure Strategy, through the Development Management DPD:*

- *the hills to the north and north west;*
- *Knowle Hill to the south west;*
- *the strategic gap between Topsham and Exeter;*
- *and the Valley Parks: Riverside, Duryard, Mincinglake, Ludwell, Alphington to Whitestone Cross, Savoy Hill and Hoopern.*

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67 In this regard the proposals would be contrary to the core Strategy Policy CP 16 which includes protection of the character and local distinctiveness of the hills to the north and west of Exeter.

68 The Exeter Fringes Landscape Sensitivity and Capacity Study is key to the understanding of the Council's objectives for the development of Exeter. This key document identified the site (lying within Zone 3) as having a high landscape sensitivity and a low to capacity for housing use, with further detail in the text going on to state that there is no capacity for housing.

69 The applicants have provided no commentary of context, despite the submission of an LVA, and no meaningful appraisal or assessment of the site and the proposals in the form of a recognisable Landscape and Visual Impact Appraisal. Therefore, there is still no landscape, visual or placemaking justification provided for the proposed development.

**Views towards the site**

70 A ZTV is included that has buffers set at 15m for trees and 9m for buildings. This ZTV does not include for the tree removal that is inevitable to facilitate the highway access (**Figure 7**). A full bare ground ZTV has not been included, and this omission has led to the under-representation of views being explored in the visual analysis.

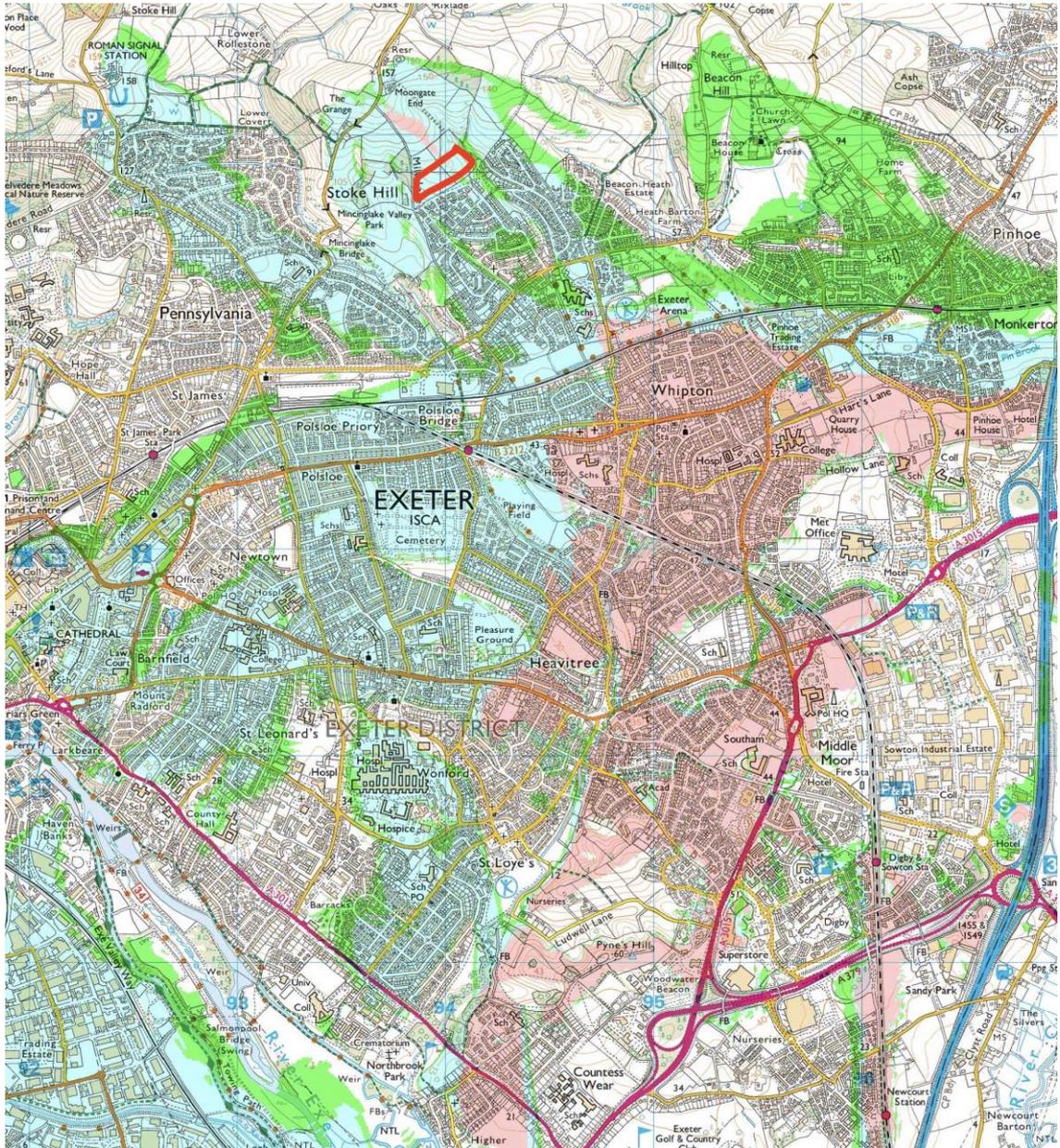
71 A bare-ground ZTV with no buffers has been produced (**Figure 9**) The contrast is marked between this and the bare-ground ZTV with buffers included in the LVA and extracted at **Figure 8**.

**Figure 8: Bare-ground ZTV with 9m building and 15m tree buffers**



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Figure 9: Bare-ground ZTV



- 72 The five viewpoints include with the LVA are all in close proximity to the site. No longer-range views have been either included or assessed, including views showing the site forming part of the setting of the city. The location of these photograph viewpoints is shown on LVA Figure L5: Viewpoint Location Plan. The visual analysis is based on these viewpoints only and does not include any narrative on what the likely views would be like in bare-leaf conditions.
- 73 LVA para 2.4.6 records that the furthest viewpoint used is from Mincinglake Valley Park, approximately 180m from the site boundary.
- 74 By not analysing more distant viewpoints, or the relationship of the site to the broader landscape a serious underplaying of effects has been recorded in the LVA.

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**Changes to landscape features, landscape character and views arising as a result of the development proposals.**

- 75 The landscape and visual appraisal is scant, barely recording the Changes to landscape features, landscape character and views arising as a result of the development proposals.
- 76 LVA para 7.1.3 records that: *There would be an adverse effect on the Landscape Setting of Exeter, but that would be minimal as the site comprises a very small part of the extensive Landscape Setting area. It is enclosed by substantial tree belts, visually and physically separating it from the wider landscape. It is adjacent to existing development to the south, and where there are views from the site they tend to be towards the south and over the large urban area of Exeter. The continuity of the Landscape Setting would not be compromised from any areas currently accessible to the public.* This is a very broad-brush statement that seeks to underplay the role of the site in the setting by suggesting that it is a small percentage of the overall area forming the setting. This approach is flawed and not consistent with the approach always taken by the Council in their strategic approach to protecting the landscape setting of the city.
- 77 LVA para 7.1.4 states that: *Views of the development would be limited to a few local views (under 0.5km), mainly close to the site, owing to the framework of substantial mature tree cover, the landform and avoiding development on the higher part of the fields.* This is very obviously incorrect. **Figures 5 & 6** included above shows how the site forms part of the backdrop to the city from distant locations within the city that are highly valued and regularly walked and visited by many people.

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- 78 No recognised methodology has been employed in the LVA, with the applicant's visual sensitivity analysis not defining the susceptibility of the site or sensitivity to change. This is a fundamental flaw, and as such the LVA does not meet the basic requirements set out by the Landscape Institute in GLVIA3.
- 79 The Exeter Fringes study clearly identifies the site as being in an area of high sensitivity, and in an area where the balance between localised impact would spill over into harmful impact on the objectives of maintaining the setting of the city. There is no review of this document, its findings or any analysis or arguments tended to counter this high sensitivity value, and the stated conclusions of the Fringes study that there is no capacity for housing in the zone and on this site.

**Access**

- 80 Access is the only element defined. This is an inherently difficult site to access, with the lower side of the site lying above Pendragon Road with an appreciable level change as shown in the photograph at **Figure 10**. The photograph shows the eastern access point to the left of the image. Celia Crescent is seen to the right of the photograph at **Figure 10**.

Figure 10: View along Pendragon Road.



- 81 The setting of the access road currently forms a strong urban rural interface, with the sloping land having a managed south-face and the rural character lies beyond the tree line. This forms a small area of public open space adjacent to Pendragon Road, opposite the more formal public space and play area.
- 82 The loss of the landscape value of the trees along Pendragon Road to be removed to allow access into the site cannot be mitigated through tree planting as part of the overall reserved matters scheme as suggested by the applicant. For completeness, these are recorded on the tree survey plan as:
- Trees T3, T4, T5 (Highway Verge),
  - Group TG6 (part removed to facilitate access from Pendragon Road), and
  - Group TG7 (part removed to facilitate access from Pendragon Road)).
- 83 The loss of these trees would have a substantial impact on views of and along the existing strong, very clearly defined, urban edge. These trees are healthy and would not have to be removed in the absence of the application.
- 84 The tree survey describes these trees, particularly those in group TG7 as being high value features of landscape and ecological value and key trees / feature.
- 85 Root protection zones are not shown on any of the submitted documents to show if the proposed access arrangements would impact on any other individual trees or tree groups. As access is defined this is a notable omission.

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86 The site would be far more visible than identified in the LVA from all of the viewpoints in winter, and the LVA fails to fully acknowledge the degree to which the site would be opened up through the development proposals, including the two access points. For ease of reference the engineer's drawings are included at **Figure 7**.

87 The photographs included clearly show how the setting to the city would change in views from this land through the development of Fields 1 and 2.

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88 The LCA covering the site and the landscape on the northern fringes of Exeter is identified as **Exeter Slopes and Hills** which is broadly described as an elevated area above the surrounding urban areas, offering views across Exeter city and the Exe Estuary. The distinctive views, strong topography, notable woodland and proximity to Exeter contribute to a strong sense of place. Despite the proximity to Exeter this landscape has a strong rural character. In terms of special qualities and features, the LCA identifies that the area is of high value for recreation in close proximity to the city.

89 In response to this, whilst noted that there are no formal footpaths crossing through or adjacent to the site, the perimeter of the two site fields and the surrounding fields are currently used for informal recreation.

90 Potential new built development, including residential expansion on the edge of Exeter, which could be highly visible within this elevated landscape and require further infrastructure, is identified as a potential force for change in the LCA.

91 The site is contained within the wider city area boundary, within the setting of the city, but it is located outside of, albeit adjacent to, the urban boundary identified on the Local Plan Proposals Maps.

92 The site occupies an elevated position on the slopes which are covered by Policy Area LS1 and Policy CP16 that identifies land contributing to the Landscape Setting of Exeter and seeks to protect the setting of the city.

93 There is an overarching landscape and policy objective to protect important views to and from the hills surrounding the city of Exeter.

94 There is a policy objective to protect the landscape's rural character in close proximity to urban areas by resisting piecemeal urban expansion and recreational developments which undermine landscape patterns and sense of place. This is one of the starting points when reviewing this development in relation to the landscape, views and policy objectives.

95 The site is currently used as pasture, with permitted/relatively unhindered access gifted by the landowner to the local community across both field parcels (See **Figure 1**).

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- 96 The two-field development area of the site currently occupies the lower edge of the undeveloped upper slopes where the landscape setting meets the residential development on the low-mid slopes. These upper slopes have a well- wooded appearance that the sites field boundaries currently contribute to.
- 97 There are currently tall and well-established hedges with trees defining all boundaries that should be protected and retained due to their positive contribution to the character of the landscape setting of Exeter. To develop the site some hedgerow tree / hedgebank loss is inevitable. The Illustrative Masterplan shows how the site can be developed with minimal internal hedge loss.
- 98 The policy objectives include to plan to ensure the sensitive location of new development and particularly new urban extensions of Exeter, avoiding prominent open ridges and slopes (extracted from Devon landscape character assessment for the Exeter Slopes and Hills area, under the heading Guidelines: Plan).
- 99 The site occupies an elevated location towards the higher slopes on the northern edge of Exeter but does not sit on the ridgeline. While it is currently open it sits within and is only partially obscured by the hedges and trees that define the sites boundaries and contribute to the wooded appearance of the slopes that form the setting of Exeter. It is a visible site from a number of important locations, including near and far viewpoint points, including locations such as, but not limited to, the public right of way between St Loye's and Ludwell Lane and the high point at the bench on Pyne's Hill (**Figures 5 & 6**). From both of these locations the contribution the site makes to the setting of the city is clearly seen as part of the open, intact, Stoke Hill to Beacon Hill ridge.
- 100 A further consideration is how the site would be perceived from within the undeveloped fringe. For example, there are unhindered views of the site from the field to the east proposed as public open space under 20/0538/OUT – 'Spruce Close'. **Figure 11 View from proposed public open space under 20/0538/OUT –'Spruce Close' of the Pendragon site 21/0020/OUT**. Whilst currently private, the public have unhindered informal access and the developer has offered it up as public open space as part of the 20/0538/OUT application. This scheme was recommended for approval by officers, refused at committee and an appeal has been registered.

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**Figure 11: View from proposed public open space under 20/0538/OUT –‘Spruce Close’ of the Pendragon site 21/0020/OUT**



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**Conclusions**

- 101 Drawing conclusions from having reviewed the application documents, the submitted LVA and the policy background the conclusion of the Exeter fringes Study (2007) stands, there is no capacity of housing on the site and the application documents provide no justification for the alteration of this view.
- 102 The site is contained within the wider city area outside of, but adjacent to, the urban boundary identified on the Local Plan proposals maps. It occupies an elevated position towards the higher slopes abutting the northern edge of the suburban residential area that currently forms the northern extent of the city and is covered by Policy Area LS1 that identifies land contributing to the Landscape Setting of Exeter.
- 103 The Local Plan First Review discusses landscape in relation to design proposals. It states that landscape design is a principal consideration of development, the starting point of which is the quality and character of the existing landforms (hills, valleys and slopes), vegetation and other natural features.
- 104 It is easy to observe that Exeter's hilly terrain strongly influences its townscape and that views and glimpses almost at every turn change with the topography. Green spaces do penetrate built up areas, however, there is a ubiquitous character to the housing on the edges of the site around Pendragon Road that runs across the hills towards Celia Crescent, Spruce Close, Juniper Close and Pinewood Meadow Drive.
- 105 The spaces around Pendragon Road are different from those adjoining Celia Crescent and Spruce Close in that there is a very definite rural: urban interface, over a steep slope where the urban side is very definitely related to the adjoining residential spaces and the hedgebank tree line rural. It is a strong, defensible space. To breach this boundary would be to bring about unnecessary intrusion into the rural hinterland, into the setting of the city, and would constitute piecemeal development that cannot be demonstrated to relate well to the existing development on Pendragon Road and has not been demonstrated to bring any benefits in terms of landscape or urban character, views or placemaking.
- 106 The new road access points, if consented, would run through this area and would also impact on the open space on the southern side of the road route.
- 107 When travelling through the city the surrounding green hills are clearly visible from the centre and there is significant tree cover in the older residential areas as well as on the fringes. The supporting text to **DG1** goes on to explain that development proposals should work with the existing contours rather than relying on extensive cut and fill and that landscape works should aim to enhance the setting of both the proposed development and the surrounding area. The access routes illustrated at **Figure 7** show clearly that the development proposals would have to cut through the contours and landform and not work with the landform. This is a very important consideration at the outline application stage. The site would require considerable engineering and hard landscape works and would impact on the conservation of important existing natural features to the detriment of the character and appearance of the area and local distinctiveness. These are impacts that should not be accepted at the outline stage.

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- 108 In relation to the Objectives of Urban Design, Saved Policy DG1 states: Development should:
- a) be compatible with the urban structure of the city, connecting effectively with existing routes and spaces and putting people before traffic;*
  - b) ensure that the pattern of street blocks, plots and their buildings (the grain of development) promotes the urban character of Exeter;*
  - c) fully integrate landscape design into the proposal and ensure that schemes are integrated into the existing landscape of the city including its three-dimensional shape, natural features and ecology;*
  - d) be at a density which promotes Exeter's urban character and which supports urban services;*
  - e) contribute to the provision of compatible mix of uses which work together to create vital and viable places;*
  - f) be of a height which is appropriate to the surrounding townscape and ensure that the height of constituent part of buildings relate well to adjoining buildings, spaces and to human scale;*
  - g) ensure that the volume and shape (that massing) of structure relates well to the character and appearance of the adjoining buildings and the surrounding townscape;*
  - h) ensure that all designs promote local distinctiveness and contribute positively to the visual richness and amenity of the townscape;*
  - i) use materials which relate well to the palette of materials in the locality and which reinforce local distinctiveness.*
- 109 In this regard, should the site be consented for outline planning, the access routes as shown would fail to deliver the objectives of policy DG1, particularly sub-sections a, b, c, f and h.
- 110 Therefore, having reviewed the LVA and policy objectives of the City Council, the development as proposed would, for the reasons set out here, not accord with the objectives of Policy LS1 of the Exeter Local Plan First Review, Policy CP16 of the Exeter Core Strategy or policy DG1 parts a, b, c f and h.
- 111 The development would result in harm to the character and local distinctiveness of this rural area, and the addition of the development in the landscape would contribute to the loss of public enjoyment and appreciation of the intact urban fringe as it runs between Stoke Hill and Beacon Hill. This would be highly detrimental, detracting from the rural green hillside setting.
- 112 The creation of vehicular access on the south-western and south-eastern sides of the site onto Pendragon Road would create unacceptable adverse impacts.
- 113 Clearly there is a stated intention in Policy CP16 that the hills forming the setting of the city are to be protected. This is unequivocal. In addition, the Core Strategy Key Diagram clearly shows the combination of the landscape setting and valley parks as being fundamental elements in maintaining the objectives set out in para 4.11 of the Core Strategy: *The aim is to enable the city to grow without damaging*

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*those environmental assets that, to a large extent, generate the opportunities and pressures for growth. Accordingly, proposals for development are identified, based on giving priority to sustainable locations, by: (4<sup>th</sup> bullet point) steering development away from the hills to the north and north west that are strategically important to the landscape setting and character of the city.*

114 All of the planning policies, development plan evidence base documents, the landscape character assessments and planning application advice has been consistent in showing graphically and documenting this strategy. In addition, careful detailed site analysis has shown that the fields that form this application so well related to the rural fringe that they cannot be developed without unacceptably impacting on the policy objectives of the Core Strategy.

115 Taking this back to the national level, the NPPF (2021) states, in relation to achieving well-designed spaces, at paragraph 130 that: *Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

116 The effects of the proposed development have been assessed by the LVA reviewer and through a review and found to be underplayed in the LVA, having a substantial impact on the valued landscape characteristics and impacts on views from within the landscape and of the setting of the city. The development would not accord with NPPF paragraph 130 sub-sections a, b (access) and c.

117 In addition, the proposals as presented conflict with NPPF Paragraph 174.

Anne Priscott (CMLI) January 2022