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16/02208/FUL**

**Summary Proof of Evidence of  
Michael Davies**

**On behalf of:  
Hinton Properties (Grovefield Way)  
Ltd**

**Town and Country Planning Act 1990  
Town and Country Planning (Inquiries  
Procedure) (England) Rules 2000/1624**

**Appeal against refusal of planning  
permission for development of land  
at Northwest Road and Grovefield  
Way, Cheltenham**

**Final Version  
10.12.17**

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This document has been produced by Davies Landscape Architects (DLA) for the sole purpose of the Appeal concerning Land Off Grovefield Way, Cheltenham

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## 1 Introduction

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### Experience and Qualifications

- 1.1 I am Michael Davies, Managing Director of DLA which I founded in 2006. I hold a Bachelor of Arts Degree with Honours and Diploma in Landscape Architecture from the University of Gloucester. I was elected a Chartered Member of the Landscape Institute (“CMLI”) in 1991.

## 2 Response to Reasons for Refusal

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- 2.1 CBC in its refusal decision RFR3 has raised concerns about the visual impact of the proposals causing harm to the surrounding area.

### Scope of Evidence

My evidence addresses the visual effects of the proposed development evaluated against the relevant planning history and site context to show that:

- 2.2 The design rationale fully accords with the established landscape principles of the approved outline planning applications (05/00799/OUT) (14/01323/OUT) and reserved matters applications (09/00720/REM) and (12/01086/REM); and
- 2.3 The proposed development would not cause any significant harm visual to visual amenity of the local or wider area and fully accords with JCT policy SD4 and CBC policy CP7.

### Response to other matters raised in consultation

- 2.4 The officer report to committee identifies other landscape and visual issues from third party representations, which I also address in my evidence.

### **3 Background, Policy and Officer Report**

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#### **Background**

- 3.1 DLA has been involved with the Corinthian Park project since 2012, having been appointed by the landowner to prepare hard and soft landscape drawings for a reserved matters submission (12/01086/REM) which were subsequently permitted, but not implemented.

### **4 The Landscape Baseline – Site Context, Character and Visual Amenity**

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#### **Statutory Designations**

- 4.1 The Appeal Site has been removed from the green belt and carries no other statutory landscape designations or protection policies.

#### **Site Context**

##### *Topography*

- 4.2 The topography slopes from 40m AOD at the site entrance to 32.5m AOD adjacent to the west and north boundaries. Grovefield Way rises from the site entrance towards the southeast boundary of the Appeal Site at 41.5m gradually falling to 32.5m AOD on the southwest boundary.

##### *Access*

- 4.3 The main transport links to the site are from Grovefield Way to the east and North Road West to the south.

##### **Public Rights of Way (PRoW)**

- 4.4 There are no PRoW across the site.
- 4.5 Highway footpaths lie either side of Grovefield Way and the road itself forms part of the Sustrans Cycle Route 41 that links with and follows North Rd West before heading north onto the Badgeworth Road. North Road West also forms part of the Cheltenham Circular Walk.

##### *Settlement and Built Character*

- 4.6 The Appeal Site lies on the edge of the urban fringe and much of the residential area lacks any distinctive qualities and does not share any of the key characteristics associated with the town centre.

### **Views**

- 4.7 The Appeal Site forms part of the urban fringe of west Cheltenham and is indistinguishable from it in long elevated views from Cotswold Area of Outstanding Beauty (AONB), Crickley Hill and Churchdown Hill (Ref Cooper Partnership LVA 2006).

### **Site Character**

- 4.8 The north west quarter of the site is occupied by the BMW dealership and associated car parks.
- 4.9 The remainder of the Appeal Site is an ordinary urban fringe landscape with no extraordinary landscape or visual qualities having been soil stripped in anticipation of further development. Remaining landscape features of interest and sensitivity lie adjacent to the west and south boundaries

### **Visual and Sensory Perceptions**

- 4.10 The Appeal Site has fundamentally lost its appearance as an agricultural unit and has corresponding low sensitivity to change.
- 4.11 The Golden Valley bypass and Grovefield Way are notable audible detractors in the immediate vicinity and North Road West to the south is a busy rural lane.

### **The Visual Context**

- 4.12 Generally, the Appeal Site is only available to significant views from the immediate surroundings due to a combination of: the raised vegetated embankment of the A40 corridor; mature hedgerows to the south and west; and the existing urban fringe to the east.

### **Views from the North**

- 4.13 There are opportunities for heavily filtered transient and framed views from vehicles normally travelling at high speeds on the A40. The elevated and vegetated A40 corridor prevent any significant views further north.

### **Views from the East**

- 4.14 Some existing open views are afforded from motorists, pedestrian and a few 1<sup>st</sup> floor windows when opposite the Appeal Site bordering Grovefield Way.
- 4.15 Views further east are screened by existing houses.

### *Views from the South*

- 4.16 Views from the south are restricted to a small number of properties on the eastern extent of North Road West, numbers 1-10 and The Reddings Community Centre. Filtered views are also afforded from the road itself, which is identified as a small section of the Cheltenham Circular Walk.
- 4.17 Views further south are screened by intervening vegetation, existing development and undulating topography.

### *Views from the West*

- 4.18 There is opportunity for filtered ground floor and open first floor views into the site from the 'Elm Farm' and 'Tuberville' in the winter scene.

## **5 Development Description**

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### **Summary of Landscape Strategy**

- 5.1 The landscape strategy:
- retains and reinforces the sensitive hedgerow to the south and southwest bordering North Road West as suggested by the 2007 appeal inspector;
  - Increases tree and shrub planting bordering Grovefield Way interspersed by a gabion retaining wall and occasional trees, while increasing the sense of openness due to the gap between Costa coffee shop and Aldi supermarket;
  - Provides a high-quality entrance;
  - Provides a high-quality landscape setting for buildings facing onto the street through: a feature rill; Cotswold stone faced retaining walls; swathes of grasses and shrubs interspersed with ornamental trees for year round interest.

### **Impacts on Visual Amenity**

#### **Visual Effects**

##### *Views from the North*

- 5.2 The smaller scale office buildings to the west will remain heavily filtered from the A40 even in the winter's scene reinforced by proposed planting and the carpark areas hidden from view.

*Views from the East*

- 5.3 The Aldi car park will be screened/heavily filtered from upper storey windows of surrounding houses and highway footpaths by the proposed buffer planting. Occasional framed views looking over the site will be available from Grovefield Way between Costa Coffee and the supermarket.

*Views from the South*

- 5.4 Views from Shakespeare Cottages, motorists, pedestrians and cyclists will be screened by a combination of the existing hedgerow reinforced by mixed native and evergreen planting.

*Views from the West*

- 5.5 Views from the cottages to the west of the Appeal Site will be screened by a combination of the existing hedgerow reinforced by mixed native and evergreen planting.



## 6 Response to the Reasons for Refusal 3

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- 6.1 I have concluded that the Councils RFR3 centres around the Costa Coffee shop and its impact on visual amenity compared to its replacement with Office 5 located at the entrance to the site.
- 6.2 The gateway and arrival to the appeal business park is marked by BMW, which establishes itself at the top of the physical and visual hierarchy.
- 6.3 The proposed coffee shop is designed to form part a family of buildings using a similar design language and palate of materials, which in turn are influenced by the BMW flagship.
- 6.4 Buildings are set within a high-quality landscape, utilising an established landscape rationale approved in previous reserved matters submissions.
- 6.5 Two photomontages to illustrate the visual differences between the two appeal schemes show that both schemes are of a lower scale and mass to BMW allowing it to remain as the focal point on the business park.
- 6.6 Both Costa coffee shop and Office 5, reflect the design of BMW and in combination with the landscape proposals, appropriately mark the entrance to the business park.
- 6.7 The proposals in both appeals complement and respect neighbouring development and the character of the locality and/or landscape as required by CBC Local Plan policy CP7.
- 6.8 In terms of the JCS, policy SD4, both appeal schemes offer a more open aspect across the business park in comparison to the extant illustrative masterplan when viewed from Grovefield Way to the east, made available by a 59m gap between Costa Coffee/Office 5 and the supermarket. The landscape integrates with the buildings utilising established and approved landscape design principles.
- 6.9 I concur with officers and Mr Tucker that the landscape design is of a high quality and fully complies with bullet (iv) of this policy taking in account the footnotes of Table SD4C.

### Representations - Areas of Concern

- 6.10 The landscape to the south of Aldi opposite Shakespeare Cottages would mitigate views towards the building and car park in an estimated 5-7-year period. A full lux lighting has shown that there would be no significant harmful effects caused by lighting on those properties bordering Grovefield Way or Shakespeare Cottages and there is no material harm to visual amenity.

## 7 Conclusions

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- 7.1 My proof of evidence has addressed the effect of the proposed development on visual amenity of the area.
- 7.2 While a conjoined appeal, my evidence focuses on the RFR3 of the refused application 16/02208/FUL. I have also described the principal differences between the two appeal schemes to show that the main reason for RFR3 lies with the design and landscape associated with Costa Coffee.
- 7.3 I have determined that the Appeal Site is not widely influential within the wider landscape and there are limited opportunities to view the whole business park from a single location.
- 7.4 The site has been soil stripped and all its remaining landscape features lie towards the site boundaries.
- 7.5 BMW is a powerful presence, forming the gateway to the business park and will remain as the landmark building being significantly taller than the remaining buildings.
- 7.6 The Appeal Site is removed from greenbelt in the JCS and the principle of development is well established through a complex history of planning applications, including the approval of reserved matters that include hard and soft landscape details.
- 7.7 No obtrusive overlooking or loss of privacy is predicted from any properties and I fully concur with officers, that residential amenity would not be harmed.
- 7.8 The buildings, including the single storey Costa Coffee, follow a similar architectural language influenced by BMW and are set within a high-quality landscape observing the same principles of landscape design that have been approved through previous reserved matters submissions.
- 7.9 The topography slopes, such that ridges, and eaves of buildings will be seen in different planes and the Costa Coffee provides an appropriate visual counter balance to BMW.
- 7.10 The gap between both Costa Coffee and the supermarket, allow more open views across the southern part of the business park. Associated car parks are sited at lower levels and are screened by the proposed planting adjacent to Grovefield Way allowing framed views into and across the site.
- 7.11 Both appeal schemes show a high-quality landscape and public realm that integrate the buildings into the landscape creating a distinctive sense of place and high-quality business environment.
- 7.12 In conclusion, I have not found any landscape or visual grounds that would prevent planning permission being granted and respectfully request that the Appeal is allowed.

