

Guidelines for Landscape and Visual Impact Assessment (GLVIA)

Online event :
Wednesday 10th February 2021
5.00 -6.30/7 pm

Speaker biographies

Edward Hutchison is an artist and landscape architect with 45 years of experience. He is author of 'Drawing for Landscape Architecture'.

Tom Robinson is a director of Robinson Landscape Design and has worked for over forty years in the UK, Europe and Far East.

Sally Marsh is Co-Director of the High Weald AONB Partnership and is currently undertaking a PhD research project into the meaning and measuring of natural beauty in public policy.

Clare Brockhurst is a practicing landscape planner regularly working on LVIA and LVAs for a range of developments, experienced with GLVIA 3 in planning inquiries.

Charles Banner QC is a barrister at Keating Chambers specialising in planning and related areas, with experience of over 100 planning inquiries. He is the creator and co-presenter of 'Have We Got Planning News For You'.

INTERVIEW TRANSCRIPTION

Edward Hutchison

My name is Edward Hutchinson. I'm a landscape architect and an architect but now, primarily, I'm an artist. On the 20th of November last year a small group of members is of the Landscape Institute, thought that we should approach the pressing issues surrounding landscape. And we thought it would be really good to open up the general discussion about these issues, so to do this we launched this magazine called *Landscape Matters*. It's going to come out four times a year, it's completely free and we would like it to embrace a whole range of different subjects, not only landscape planning, not only landscape science, landscape design, poetry, art, ploughing, etc., with the intention of trying to break down the intellectual silos which can surround the subject of landscape. The first issue came out on the 17th of January 2021, and I'm pleased to say that our readership at the moment is 1,800 people, of which 20% is overseas.

The first part of the GLVIA Debate, after I've spoken, will be Tony Edwards, who is a landscape architect, he will chair the meeting. Then we've got four speakers. Then Marc van Grieken has very kindly agreed that he will give his summary, being an author of the GLVIA3. And then after that, if everybody's got the appetite, we'd like to open the debate to the floor so it becomes, as it were, much less controlled.

Tom Robinson is a landscape architect. He first of all worked for local authority and then ran Brian Clouston's office in Durham, and then Tom set up his own practice. The second speaker is Sally Mars who is a landscape ecologist. She is director of the High Weald AONB Partnership and she's been there for 25 years, and she has been involved in reviewing LVIA's of the landscape character assessment and landscape sensitivity studies over 15 local authorities. Clare Brockhurs is the third speaker. She writes that "I've always been interested in landscape, recognising from an early age that places which shaped my childhood, and ultimately my career, were very distinct and different. I spent my youth outdoors observing the changing seasons and the effect land use had on the character of our surroundings. I was intrigued by how the differences occurred, and studying the physical geography helped me to develop my knowledge and further ignite my interest." Charlie Banner who will be the last speaker. He is a barrister at Keating Chambers with an experience of over 110 planning enquiries, the majority of which have involved landscape or townscape and visual issues both within and outside the designated landscapes. He has worked with and has cross-examined a considerable number of landscape experts and is the creator and co-presenter of the high profile planning related webcast 'Have we got Planning News for You'. Now I'm now going to try and hand over to Tony Edwards.

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Tony Edwards

Okay. Right. We'll get started. Hopefully the technology works well and apologise for any glitches. In talking about Guidelines for Landscape and Visual Impact Assessment we have an interesting topic to debate and, like you, I cannot wait to hear what I'm going to say really. I would like to set the scene, as it were, in some form of chronological order before you hear the papers of our valued contributors. As a short summary, a GLVIA assessment is the, looking at the expected change of view from a number of designated receptor viewpoints. However, there is a long-established principle in land law that an owner cannot protect a view from a property unless the land owner can rely on a specific covenant to protect it. First recorded in 1610 in Aldred's Case, it was established that the right to a view is too broad to qualify as an easement and a right must be sufficiently definite. This position has become an accepted fundamental in planning law and there is no right to a view under the planning system. This has sometimes become a contentious point of law, specifically for local objectors in relation to visual impact assessment.

Environmental assessment arrived in the UK via the EU EIA Directive of 1985, which has been subsequently amended four times in 1997, 2003, 2009 and 2014. The most recent amendment came into force to simplify the rules for assessing the potential effects of projects on the environment. The LI GLVIA guidance was first published in 1995. As stated in the foreword to the second edition, "No public inquiry into planning matters seems complete without the guidelines being waived in the air. That said, techniques and government policy," which I'll come back to, "continue to develop, and the guidelines need to keep abreast of developing legislation and new techniques. From a robust testing of the first edition, we now have the next stage in the ongoing evolution of landscape and visual assessment," which again we may come back to. This process continues, and the third edition was published in April 2013.

A Residential Visual Amenity Assessment, an RVAA, Technical Guidance Note was published in 2/19. And then in June 2019 the LI published technical guidance on the visual representation development proposals, which was followed by the guidance Reviewing Landscape and Visual Impact Assessments and Landscape and Visual Appraisals, Technical Guidance Note 120. So I doubt many people have had much chance to use that over the last year. In the RVAA note it was stated, "Residential Visual Amenity Assessment is distinct from LVIA," as noted in GLVIA3 at Paragraph 6.17, which states 'Effects of development on private property are frequency dealt with mainly through residential amenity assessments'. These are separate from LVIA, although visual effects assessment may sometimes be carried out as part of a residential amenity assessment, in which case this will supplement and form a part of a normal LVIA project." As stated at one public inquiry, the planning inspector stated the test as follows, "I consider when assessing the effect on visual outlook if it is helpful to pose the question, "Would the proposal affect the outlook of those residents to such an extent, i.e. be so unpleasant, overwhelming and oppressive that this would become an unattractive place to live?" So that was the assessment objectively, as far as possible, made for the RVAA.

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Coming up to date, we now have the position in the government consultative white paper, Planning for the Future, which was issued in August 2020, which makes its agenda clear. On Proposal 16 it states, "We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England." So we can see the agenda from a bill, bill, bill government. They want to speed things up and only really protect and enhance the most valuable and important habitats, which leaves lower designations perhaps vulnerable. And Paragraph 3.28 says, "Requirements for environmental assessment and mitigation need to be simpler to understand and consolidated in one place so far as possible so that the same impacts and opportunities do not need to be considered twice."

So we come to the position in post-Brexit 2021 that a document that has been published in three versions, together with legislation which has been amended every six years, may be subject to change within a raft of UK planning changes. As the Government has flagged up its intentions for a quicker and simpler agenda for environmental assessment, will procedural changes be revolutionary or evolutionary? Hence, the appropriateness for the Landscape Matters debate.

I'll now hand over to our first speaker, Tom, to take the floor, as it were. Thank you, Tom.

Tom Robinson

Thank you, Tony, and good afternoon everybody. These last few years, there's been a growing concern about the quality of what's been written and said on LVIA under the banner of GLVIA3 because too many of these documents are jargon oppressed, procedurally opaque, hard to read and imperative in judgement on matters that are properly contingent. We've all seen how contested planning decisions with landscape issues can lead to the commissioning of pro and anti-development LVIA's and argument over methodology between professionals that is invariably ungenerous and so is unseemly. And I have seen how other professionals and inspectors discount LVIA determinations as subjective. This is bad for the profession, bad for the subject and not very helpful to the planning process. The institute's aware of this, and in recent months has organised open webinars and panel discussions on how to improve procedures, and from this we seem to have three schools of thought. Some think GLVIA3 is fine and we only need to train professionals in its use. Some think some amendments to the texts are required. And some think we need both. I'm of the last opinion, and so I want to make a few suggestions about how I think GLVIA3 could be improved, and they fall into three related areas.

The first is a need to work from a shared sensibility and understanding of priorities. GLVIA3 sets out a methodology, but without a common sensibility and understanding of priorities conclusions can vary widely. Now we've got a quotation here from a recent LVIA on an edge-of-town housing scheme. I didn't write it. And it goes, "With regard to housing developments, there is a broad spectrum of opinion as to whether the effect of housing developments can ever be deemed to be anything other than negative. Therefore, this LVIA will generally assume

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the housing and roads are adverse effects." Now this strikes me as wrongheaded in every way. If we are to adopt an a priori anti-housing or anti-development bias in our assessments, why bother writing anything at all? This may be an extreme example, but I think it's common to find marginal changes in the landscape that are being described in absolute terms as major and adverse when the proposed change is from one locally existing landscape type, say greenfields, to another, residential streets and gardens. This seems to me inflated in language and in judgement. I believe a proper basis for any evaluation of change in the landscape can only come from referencing core planning documents, and my list of these would include the layers of landscape character assessment at national, regional and county level that define the landscape types and character areas. These are quoted at length in LVIA's but are not always used to determine the appropriateness of a landscape change proposed. The other is the European Landscape Convention which affirms that landscapes include all land areas in which humans have interacted with the natural world. And so we need to recognise, for example, that the building of housing is a change in landscape type and not the destruction of landscape itself, unless it is done badly, destroys recognised landscape features or is out of context. Then we come to NPPF. This, this is central, I think, because it sets out the landscape and visual issues of planning concern, and it indicates some broad principles for their assessment and how to avoid significant impacts. And finally would be local and neighbourhood plans and relevant management or conservation plans that apply to the area of study. There is no place for a predetermined position on the effect of a change. Developing a shared sensibility will take some time, but it can be done by adding technical notes or by training. But, at present, GLVIA3 pays only lip service to the ELC and completely ignores the existence of a National Planning Framework, now in its third iteration, for England and Wales, and this seems to be, to be wholly incorrect. And the reasons given for the absence of any reference of the planning context, that policy can change, are just effete.

The second improvement would be to make LVIA's more informative and less judgemental. What distinguishes LVIA's from other types of documents that are used in the planning process is the imperative and judgemental nature of its conclusions, with judgements such as 'major, permanent, adverse significance of landscape effect' being quite common judgements. This declaratory approach is a spill over, I think, from the EIA process where it is the purpose of the assessment to identify significant impacts and the degree of harm that can be caused by these impacts. But most LVIA work is not at EIA level. GLVIA3 makes a distinction between EIA and non-EIA work in its recommendation to restrict the use of the term 'significance' to EIAs only because the term has a specific EIA meaning. But NPPF uses the term 'significant / significance / significantly' with regard to impacts, and it's not using them in the EIA sense because it makes clear that while EIAs are for certain types of project its recommendations on significant impacts apply to all plans and all decisions. Well, what then is NPPF significance in an LVIA? I think the term connotes the idea of a threshold of scale and importance of the impact below which something cannot be significant. If that is the case, LVIA's below environment assessment procedures should be distinguishing between NPPF significant impacts and those that are not. And since NPPF understands that some change will not meet that threshold, this calls into question a methodology that assesses all impacts as if they are significant and

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requiring judgements about the positive and negative nature of the change. Many changes to a landscape are neither good nor bad in themselves. They're just changes from one type to another, and GLVIA should recognise this more than it does. And it should concentrate more on the analysis of the change and its effect on, for example, specific landscape features of, that are affected by development rather than an overall judgement of the development itself. I think this would improve planning decisions at all levels and could lead the way to this assessment being used to actually improve development. After all, isn't the landscape architect's judgement about landscape change just begging the planning question that an LVIA is meant to inform?

The final change that I would like to see is the use of plain English and a more transparent method. Unfortunately, the other distinguishing feature of LVIAs is the methodology that scales magnitudes of effect against sensitivities of the receptor to determine the significance or importance of the predicted effect. I don't think is as helpful to the planning process as it could be. It's quick to the point of being flip. It encourages adversarial reports that result in disputes about methodology, and it takes from the readability of those reports. It's also opaque. Assessing landscape sensitivity, as recent work by Christine Tudor of Natural England attests, is recognised as requiring an assessment of the susceptibility of a landscape to the development proposed and an assessment of landscape value. But GLVIA3 requires the professional to combine these two qualities to determine overall sensitivity of some aspect of the landscape. And this is impossible to do in a transparent matter, manner because the two qualities are incommensurable. They share no common means of measure. This makes the resultant term 'sensitivity' seem more like a construct than an actual quality of a landscape. I believe it would be better were we to assess susceptibility and value separately. The former, susceptibility, is capable of comprehensive analysis of both landscape elements and landscape character, and this could be used as an analytical tool to improve on site design rather than, rather in the way that ecological studies are used to improve site design. And the latter, value, is actually one of those features of the landscape that NPPF is concerned about. We should thus be analysing directly and plainly the different forms by which a landscape can be valued. That's my gallop.

And in conclusion I'll say these changes could make LVIAs more accessible and better able to be understood, and that would undoubtedly be an improvement on the utility of this assessment in the planning process. Since these changes combine a change to method as well as attitude, it suggests to me the need for a revision to the current text. Thank you.

Sally Marsh

Thank you, Tony. I'm going to talk about LVIAs and natural beauty. LVIAs and LVAs, and I'll use LVIA to cover both from now on, are the standard industry tools for assessing impact of development on Areas of Outstanding Natural Beauty for planning purposes. But do they get it right? The national family of AONBs is concerned about what appears to be a consistent downgrading of AONB impact. And in order to test this I set up a small systematic review of LVIA judgements, and I wanted to share some early findings with you. So in this study I'm

looking at all LVIAs submitted in support of planning applications in five local authorities in the same AONB between 2018 and 2020, all of the housing on greenfield sites, affecting in total 90 hectares of land with a potential for 1,200 dwellings.

So the first thing I did was upload all the LVIAs into a corpus software to see how they treated the term beauty. Out of a total of 390,000 words, and as someone mentioned earlier these are big reports, beauty was only mentioned 293 times, mostly in relation to either the name, Area of Outstanding Natural Beauty, or the purpose, conserving and enhancing natural beauty. There were only a handful of independent references to beauty, all of them statements, none of which involved any discussion. So my talk could end there. LVIAs do not concern themselves with beauty or natural beauty. Only of course they do, or they claim to. So all these assessments provided statements about AONB impact, and all of their conclusions, whether for two houses or 400 houses, were the same: the impact of development on the AONB was minor and negligible. So this reminds me of the torturer's paradox. And for those of you who don't know it, it goes like this. There are a thousand torturers and they each torture one victim a thousand times. The torturers can't sleep, knowing that they're responsible for the screams of the victims, so to ease their pain they decide to torture each victim only once. The victims still scream, but the torturers can sleep safe in the knowledge that their action was not the one to cause the victim any harm.

Now we know that natural beauty is difficult to quantify, but common sense tells us that there is harm from building on greenfields. That doesn't mean that all development should be refused, but there is the potential for harm, so why aren't LVIAs recognising this? Part of the problem is with the method itself. And Tom touched on some of those issues, but I want to look at two key principles that underlie the impact assessment method: vagueness and uncertainty. So we'll take vagueness first. We can't easily put a number of, a number on factors such as landscape value, sensitivity or impact, so the assessment method uses a form of fuzzy logic. And again Tom touched on this. So rather than numbers, it uses wide bins with magnifier layers such as high, medium and low. These factors are then weighted and aggregated. Value combined with susceptibility gives us sensitivity. Three subfactors combine to give magnitude. Sensitivity combined with magnitude gives us significance, et cetera, et cetera. You'll be well aware of how it works. There was a lot riding here on operator judgement with plenty of opportunities for subconscious bias and gaming, and that's exactly what we see. Half of the factors, half of the factor scales are weighted negatively in the studies that I looked at, and judgements are consistently nudged downwards.

Let's look at the other underlying principle: uncertainty. So the final statements about AONB impact are made with conviction, yet they rely on mitigation measures to offset harm that exist only on a drawing or in the head of the designer. So how probable is it that these enhancements claimed are achieved in the future? Is it 75%? 50%? 20% likely? We don't know. If landscape practices were obliged to set out the assumptions behind such statements, we might read in LVIAs a paragraph which goes something like this. The landscape enhancement plan might enhance the AONB after 15 years if the contractors manage to avoid running over soil in wet weather with heavy machinery, if sufficient local provenance

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wildflower seed is available for restoration, if sufficient money is secured for enforcement, management and monitoring, and if the new development doesn't introduce more cats, lighting and disturbance. Now, in the absence of an uncertainty factor, this would be more honest. So of course, as designers, we believe our schemes are good, but if we can't be honest about adverse impacts, our starting point is wrong.

So perhaps, unfortunately, perhaps the most disappointing finding from my study is the overwhelmingly visual bias of every single assessment. The average number of visual receptors are twice that for landscape receptors despite GLVIA3's strong emphasis on equal treatment. But the visual bias is even more pernicious than this imbalance implies since the majority of the landscape receptors are either character areas or features where impact is discussed in terms of visual properties only. Out of 140 receptors in this study only two are grassland. Sorry, 104 landscape receptors, only two are grassland. Only one a historic landscape feature associated with grassland and one agricultural land. Not a single receptor looked below ground at the soil. I find this shocking. All of the sites reviewed, bar one, are permanent pasture, most likely sitting in historic field systems on relatively undisturbed soil. All these sites have the potential to store carbon, produce food and employ labour.

So what does this, what do these findings say about our profession? I suggest to you we are fixated on the visual at the expense of landscape as a resource, and yet we still can't really talk about beauty. Like landscape, natural beauty has both a subjective component as well as an object and arguably a moral dimension. It's definition in law is as much about the material landscape as it is about the pleasure of experiencing it, and landscape as a resource underpins the three biggest challenges facing our global society: the climate crisis, biodiversity loss and social inequality. And by the latter I mean fair access to affordable housing, safe food, clean water and to nature for well-being. So if we, as a profession, can't deal with landscape as a resource properly, we will have no voice in the future, and I suggest to you that young people will not hasten to join us. So I started this research with a view that LVIA guidance and practice needed to be refined, but I'm not sure this is enough. It may need a completely fresh approach. Thank you.

Clare Brockhurst

I suppose, coming sort of the fifth person to speak, I tend to not have a paper but more ramblings which follow my own thoughts on GLVIA and the relationship to design, but also picking up some of the points that Tom and Sally have mentioned. So from, from my perspective, regardless of the GLVIA and whether we should have a new guidance, should it be updated, those sorts of thing, I think one of the issues for me is the emphasis and the relationship between the baseline assessment process and the outcome for the design. So, a bit like the previous speakers, I think I, my experience both in terms of producing and reviewing LVIA's is there is a huge amount of time and effort spent articulating the minutiae of difference between sensitivity and value and susceptibility. We engage in the process of concluding on and characterising significance with effect and, from my perspective, we don't

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often see the true findings of the baseline analysis expressed through the master plan or the scheme development which is the subject of the planning application. So I think, from my point of view, is it is the ... this, this is all referenced in the current version. And it's one chapter, Chapter 4, of the guidance, which is very rarely waved about at inquiry, which contains the links between understanding the character, the sense of place, the qualities and the components of the landscape that make that distinct, that special, that, that value and then translating that into the right design for that location. And so it should be for the reader of a, of an LVIA, sitting alongside the master plan, saying, "I may not want to development to happen, but I can absolutely understand why it is coming forward in this form, in this way, as this type of response for this landscape because if I read the baseline analysis, I totally understand how we've got to this point."

And sometimes, I'm afraid, I do get to work on projects where somebody else has been involved with the LVIA process, and I read the LVIA and I look at the master plan and there is a disconnect. And I think, as a profession, we need to get tougher and more robust within our design teams to press for the right outcome. But we need to ensure that our information, our analysis, at the very outset of the project gets delivered and reminded to the team throughout the evolution and iteration of the scheme proposals. So I think then, from my point of view, I would love to see the LVIA's that we produce structured differently whereby instead of baseline, "Let's start classifying very early on in the process what the susceptibility is, what the value is, what the sensitivity is. And now let's jump into the assessment process and then we'll just touch on this bolt-on mitigation," I would love it if we're actually describing the baseline, how that informed the initial approach to a landscape-led solution and how, throughout each iteration of the master plan, those matters were tested and refined and improved upon. Because it makes it much easier to write an assessment when you know that the scheme you have is the best it can possibly be.

So I think, from my point of view, the inquiry process that we have and we have had has meant that we're kind of falling into a cycle which is you produce an LVIA, it gets debated, your methodology gets debated ad nauseum in an inquiry, you go away, you learn your lessons, you tighten up your criteria, you put some more text in, you try and clarify all that, and then you go back to an inquiry and you do it again. I appear on a large number of inquiries and sadly I think, and it's an expression of what we are achieving is, the debate tends to be about the methodology we've adopted in classifying the significance of effect, and very rarely is the scheme and the design the subject of the debate, the subject of the examination. "If you said this was important in the baseline, why aren't we seeing it in master plan?" So I think it's that disconnect.

So my contribution to the debate is how do we restore that connection? How can we make it that the landscape profession's role is intrinsic early on and can't be done by someone else because it's not sufficiently formulaic? So it's that, that area where I would like to see either a change in emphasis in any guidance, but also a period of reflection for the profession to actually see, "Is that what we're trying to do?" Because if all we're trying to do is agree some way of describing effects as opposed to ensuring that we deliver the best design outcomes,

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then I think we have a debate on the guidance and where we go and what we're seeking to achieve as a profession.

Charlie Banner

Thank you for inviting me to participate in this discussion. As you all know, I'm of course not a landscape professional myself, but I've greatly enjoyed working with, and indeed against, several landscape professionals, some of whom I'm very pleased to see here today, over about 15 years or so acting as a planning inquiry advocate. And typically this involves reviewing evidence prepared by the landscape expert on my side and testing the evidence of the opposing side's expert through cross-examination. And in both contexts, of course, GLVIA3 is, is the governing framework. Now a large part of my work involves proposals for residential developments on, on greenfield sites. And I should say at the outset, I don't only act for the promoters of such development but often also for the local planning authorities responsible for considering them, as I am indeed this week.

We have a national housing crisis. The Government wants to build 300,000 new homes per year, and national planning policy, which in turn informs local plans, has been designed to achieve this. It's inevitable, and I think universally acknowledged, that a significant proportion of these new homes will have to be located on greenfield sites. Even the most ardent supporters of a 'brownfield first' approach accept that brownfield sites on their own can't deliver anything like the numbers needed to address the housing crisis. So from a planning policy perspective, therefore, the question in relation to greenfield development is not whether or not it should happen or whether it is in principle beneficial or detrimental, the focus instead is on ensuring that the right amount and the right kind of development happens on the right greenfield sites.

Why is this of any relevance at all to GLVIA? Well, to answer this I suggest it's necessary to appreciate what is the purpose of landscape and visual assessment or landscape and visual impact assessment. The assessment is not, I suggest, an abstract academic exercise, some kind of PhD. Its purpose is to inform a decision. And in the context of greenfield residential development, that decision I outlined a moment ago, is this the right amount and the right kind of development on the right greenfield site? Not is greenfield development in principle for the good or for the bad? And herein lies the main difficulty I've seen with how GLVIA3 is applied in practice. The way it's applied by most landscape professionals and decision makers, and there are exceptions, and by decision makers I mean both PINS inspectors and local authority officers, the way it's applied by them is that any new built form on any greenfield land will be deemed adverse in landscape character terms due to the loss of rural or similar character, and to the extent that it's visible, it will be deemed to cause an adverse visual effect, broadly speaking because visible built form is to be introduced where none currently is and that's deemed to be a bad thing in principle. And, accordingly, the assessment, which is intended to inform a decision not as to whether or not greenfield developments in principle good or bad but a decision whether this is the right amount and the right kind of development in the right place, that assessment is focussing on considering how much of a bad thing is this?

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Now if that is how GLVIA3 is to be applied, there's a mismatch between the methodological framework within the landscape assessment is to be undertaken and the policy framework within which the decision which that assessment informs is to be undertaken. Now it might be said in advance, "Well, GLVIA3 does in fact permit a decision that landscape and visual changes are beneficial or neutral rather than necessarily negative." So in relation to landscape character, Paragraph 5.37 provides, and I'm probably telling you what you already know, "One of the more challenging issues," I'm quoting, "is deciding whether the landscape effects should be categorised as positive or negative. It's also possible for effects to be neutral in their consequences for the landscape. An informed professional judgement should be made about this and the criteria for each of the judgements should be clearly stated. They might include, but shouldn't be restricted to, the degree to which the proposal fits within existing character, the contribution to the landscape the development may make in its own right, usually by virtue of good design, even if it is in contrast to the existing character." And in relation to visual effects, Paragraph 6.29 provides, and again sorry for telling you what you already know, "As with landscape effects, an informed professional judgement should be made as to whether the visual effects can be described as positive or negative or in some cases neutral in their consequences for views and visual amenity. This will need to be based on a judgement about whether the changes will affect the quality of the visual experience for those groups of people who will see the changes given the nature of the existing views."

In practice, however, any prospect that these paragraphs would enable new housing development on a greenfield site to be judged beneficial, or indeed neutral, either in relation to landscape character or in relation to visual effect, is in my experience largely, if not wholly, illusory. Neither paragraph offers any real steer on how the effects of such development could be judged to be positive or neutral. And the reality is, in practice, that the overwhelming majority of landscape professionals and planning inspectors I've encountered would consider that new built development doesn't fit within existing character of a greenfield site, and thus can't be positive or neutral in character terms, and that it negatively affects the quality of the visual experience compared to unbuilt greenfield, and therefore thus can't be positive or neutral.

And to give just one example. When I acted for CALA Homes, who are known for the high-quality design of their homes, promoting a residential development on an allocated greenfield site in a place called Hermitage in Berkshire, and my landscape witness, Andy Cook, relied upon those two paragraphs I just quoted to argue that the impacts of this high-quality scheme are what was at the time an unremarkably, and I repeat allocated, piece of inaccessible scrubland, he sought to argue that the effects would be positive, the inspector's response was withering. He said, "I disagree with the basic premise," and I'm quoting the inspector here, "I disagree with the basic premise of Mr Cook's assessment. Namely, that the majority of the landscape and visual impacts described would be beneficial. In large part, this conclusion results from his view, expressed at the inquiry, that in this location the housing proposed would be of a type and quality that would have a neutral effect and the scheme's green infrastructure elements, notably the removal of the alien conifers and introduction of new

boundary planting, would create a net benefit. In respect to the scheme's housing element, I don't accept Mr Cook's assertion that the effect of the proposed housing would be neutral in landscape and visual terms. Irrespective of the design quality of the individual dwellings, and subject to the effect of the intended green infrastructure, the presence of housing within the appeal site, together with the suburbanising effects of roads, drives, fences and ancillary domestic buildings would act to generally detract from the site's rural character."

Now these so-called suburbanising features are, of course, common to any housing development. It's a stick you could beat any scheme with. They weren't unique to that particular scheme. And there are countless other cases I've been involved in where a similar approach was taken. And to illustrate the point further, I truly wonder how many landscape professionals participating in today's discussion would be prepared in principle to conclude, applying GLVIA3, that the following three kinds of development on a greenfield site are capable in principle of causing positive or neutral effects rather than adverse effects. So example number one, three affordable, sorry, 30 affordable homes in the local vernacular on the edge of a village in the Lake District visible, as indeed any edge of settlement development in that part of the country would be, from the many public rights of way in the vicinity. Example number two, a well-designed housing scheme in an AONB where the AONB management plan references high-quality built environments as one of the special qualities of the AONB. And thirdly, at Paragraph 79, formally Paragraph 55, dwelling prominent for all to see on formally virgin land but of exceptional and innovative design, thus supported by national planning policy.

Now it seems to me inherently odd that in a world where decisions are being taken, the premise that more housing, including appropriate schemes on appropriate greenfield sites, is a good thing, the assessment of landscape and visual effects for such schemes is in practice constrained to asking how bad they are. There's also an increasing tension between this approach and the Government's push towards higher quality design, the Building Beautiful agenda. You can't build beautiful if you can't build at all.

Accordingly, if a new GLVIA edition is to be prepared at some point in future, I would personally welcome greater clarity that new housing developments on greenfield sites is capable in principle of being treated as something which contributes positively to landscape character and visual effect. Subject, of course, to case specific factors such as location, scale and design. That's not to say every scheme would be positive. That's plainly not correct. But it could, in principle, be. And now that greater clarity could be achieved in a number of ways. It could be achieved by amending or augmenting Paragraphs 5.37 and 6.29, perhaps in combination with greater emphasis on the importance of considering a greenfield site's capacity for change, starting from the premise that some, albeit by no means all, greenfield sites do have such capacity. A further or alternative way of doing it would be for GLVIA4, if it happens in future, to, to have a greater focus on outcome end result rather than on change, before versus after. Even Blenheim Palace was a greenfield once, and it's a genuine national treasure now recognised by all. But at the time it was proposed, if there was a, to have been a change focused LVA, I'd wager that it would have predicted major adverse impacts. Surely

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what is more important is its contribution to the landscape character and its contribution to the visual environment once built, irrespective of what was there before.

Now some of you may retort, "Well, such a refinement to GLVIA to bring it more in line with the decision-making context which, within which LVAs and LVIAs are undertaken," and dare I say provocatively, more in line with reality, "that this would compromise the independence of the landscape profession." Well, obviously acknowledging that I'm not a landscape professional, but I respectfully suggest from the outside that would not be the case. A refined version of GLVIA along the lines I've outlined would still allow for independent professional judgement to be reached, and it wouldn't involve landscape professionals straying into the planning merits. It would, I suggest, be little different from the decision of the Royal Institution of Chartered Surveyors, on whose board I sit, to update its Financial Viability in Planning standards in light of changes to the National Planning Policy Framework and Planning Practice Guidance which enshrined a particular approach to valuation of the existing 'Existing Use Value Plus', which was inconsistent with some theories of established valuation approach. And the update to the RICS standard was done so that the methodology used by RICS valuers was in keeping with, not in tension with, the policy framework governing the decisions within which those valuations operated. Perhaps most importantly what such a refinement would do is ensure that the landscape professional doesn't operate in some kind of parallel universe to planning. And in doing so, this would surely, I suggest, secure the, the continuing importance and considerable value that the profession plays in helping to ensure that the right development happens in the right places. So those are my thoughts, and I look forward to the ongoing discussion. Thank you.

Q&A

The full debate + the Q&A can be viewed on YouTube:

<https://youtu.be/o7j2sxfEHRY>