

**Land North of Butterfly Lane, Land  
Surrounding Hilfield Farm and Land West  
of Hilfield Lane, Aldenham**

**Landscape and Green Belt Harm Proof of Evidence**

On behalf of the Appellant

**Elstree Green Ltd**

by

**Alister Kratt BA (Hons) FLI**

of

**LDA Design Consulting**

PINs Ref: APP/N1920/W/22/3295268

LPA Ref. 21/0050/FULEI  
September 2022

A Worton Rectory Park  
Oxford  
OX29 4SX  
United Kingdom  
T 01865 887 050

W [www.lda-design.co.uk](http://www.lda-design.co.uk)

LDA Design Consulting Ltd  
Registered No. 09312403  
17 Minster Precincts, Peterborough, PE1 1XX

---



## **Contents**

1.0	Qualifications, Experience and Professional Expertise .....	1
2.0	Scope and Structure of Evidence .....	3
3.0	Statement of Case.....	10
4.0	Appeal Site Description and Landscape Context.....	16
5.0	Planning Policy .....	21
6.0	Design Evolution and Mitigation .....	34
7.0	Landscape and Visual Impact.....	41
8.0	Harm to Green Belt.....	58
9.0	Summary .....	61

8398

Version: Final

Version date: 21st September 2022

Comment:

*This document has been prepared and checked in accordance with ISO 9001:2015.*

## 1.0 Qualifications, Experience and Professional Expertise

### 1.1. Professional Qualifications

- 1.1.1. My name is Alister Kratt. I am a Fellow of the Landscape Institute and have been in professional practice for approximately 30 years. I am an advisor to the Design Council and Design Commission for Wales and have been recently appointed to the National Infrastructure Commission (NIC) as design advisor, sitting on the 'Design Group'.
- 1.1.2. I am a Director of LDA Design and former owner. I sit on the Board of LDA and lead the Infrastructure and Energy sector of our business. As a consultancy we have provided advice on major solar projects since approximately 2010. My team is leading on approximately 1 GW of solar power projects in the UK planning system.
- 1.1.3. I have also been an advisor on major offshore wind projects, nuclear, tidal and solar energy development. I have been involved in development promotion within the Green Belt throughout my career and given evidence at a number of inquiries on Green Belt, LVIA and design matters.
- 1.1.4. I was peer reviewer for the NIC's Design Principles and am supporting the Department for Levelling Up, Housing and Communities on policy reform. I was lead author for IEMA guidance on the interaction between design and EIA processes (Delivering Quality Design) and supported the Landscape Institute in the preparation of its guidance to practitioners on Infrastructure design. I am an active member of NIPA (National Infrastructure Planning Association) and recently led NIPA's response to government consultation on BNG and spoke at their annual conference on the topic of 'Future Positive' exploring progressing an outcomes based approach to EIA.

1.1.5. I was Project Director for the Hilfield project with support from colleagues of Landscape Architects who led the masterplan and design strategy for the project and undertook the LVIA and Green Belt assessment.

1.1.6. I provide expert witness evidence to this inquiry on:

- The existing landscape and visual environment.
- The design of the proposals (to inform an appreciation of the assessment of impacts on landscape character and visual receptors).
- Landscape and visual effect matters resulting from the proposal to address matters raised by Rule 6 parties in relation to Landscape and Visual Impact Assessment.
- Green Belt matters where this relates to my specialism and in particular, relating to visual openness as it relates to understanding the harm of the proposal on the Green Belt (Reason for Refusal Item 1) matters.

1.1.7. The evidence in this proof of evidence which I have prepared and provide for this appeal, are consistent with my professional obligations and are my true and professional opinions, irrespective of by whom I am instructed.

## 2.0 Scope and Structure of Evidence

### 2.1. Background and Statement of Case

2.1.1. This Appeal seeks Full Planning Permission for the following:

*"Installation of renewable led energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter / transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements."*

2.1.2. The planning application was given the reference 21/0050/FULEI by the LPA.

2.1.3. The applicant submitted a Statement of Case (SOC) to the Inspector - The case for the appellant in March 2022 [CD-ID1].

2.1.4. Para 9.1 of the SOC stated:

*'The Appellant will present evidence to demonstrate that the LPA's Reasons for Refusal cannot be sustained, that the scheme accords with the statutory Development Plan, and is further supported by other material considerations.'*

2.1.5. In para 9.2 of the SOC, the Appellant identified the main issue for the appeal of relevance to my expertise:

*Issue 1: What impact and level of harm the Proposed Development would have on the openness of the Green Belt; and whether that the benefits of the Proposed Development would amount to very special circumstances sufficient to outweigh that harm to the Green Belt.*

## **2.2. LDA's Involvement**

- 2.2.1. LDA Design was appointed as master-planner and landscape advisor for the project and to support the preparation of the planning application. We provided the Landscape and Visual Impact Assessment (LVIA) [CD-PA15] and Green Belt Assessment which formed an appendix to the Planning Statement [CD-PA4], submitted with the application. We worked collaboratively in the preparation of the proposed site layout plan with the technical team and heritage advisors [CD-PA3a and CD-PA3b].
- 2.2.2. LDA Design were involved in the early development of the project proposals and led the site planning process. The LVIA and understanding of heritage matters (undertaken by others) have been pivotal in informing the project layout.
- 2.2.3. I describe the proposals in Section 6 of my evidence and demonstrate that the proposal represents good design, responds to its context and as such results in limited harm to visual openness of the Green Belt and addresses matters of public right of way amenity.
- 2.2.4. As part of my preparation for this inquiry I have reviewed the content of the LVIA, and I stand by its content without demur.
- 2.2.5. My evidence should be read together with that of Ms Gail Stoten in relation to heritage matters and Mr Paul Burrell in relation to planning matters, which also includes a consideration of the harm to the openness of the Green Belt, from a planning perspective.

## **2.3. Consultation**

- 2.3.1. LDA Design consulted with Hertsmere Borough Council (Place Services) (HBC) to inform our work, and this is recorded in Appendix 6 of the LVIA [CD-PA15].



Liaison, including meeting the council's planning officer and representatives from Place Services providing landscape and heritage, regarding the principles of the layout/ key structuring moves, which were supported. We also discussed the scope of the LVIA including securing agreement to the assessment viewpoints.

2.3.2. The proposals have also been informed by visits to individual residential properties as part of the project consultation process to understand the nature and extent of visibility of the site and the proposals. The proposals were developed in the light of these visits.

2.3.3. Properties visited comprised:

- Conygree Cottage, Butterfly Lane.
- Ward Cottages, Aldenham Road.
- Medburn Cottage, Watling Street.
- Phillimore House, Watling Street.

## **2.4. Officer's Report to Committee and Decision Notice**

2.4.1. Given the previous positive discussions with Officers of the Council and the clear recommendation for approval of the application by the Case Officer in the Report to Committee [CD – PA27], it came as a disappointment that the Planning Committee resolution was to refuse the application on the 19 November 2021.

## **2.5. Officer's Report to Committee**

2.5.1. I refer to the Officer's Report to Committee which outlines the Officer's consideration of the application.

- 2.5.2. In reaching his recommendation the Officer correctly noted that "proper weight" should be given to environmental considerations such as "landscape and visual impact".
- 2.5.3. The Planning Officer noted in relation to the submitted LVIA, [Page 161 Para 10.22 of CD-PA27] that HBC had commissioned Place Services to undertake a review of the LVIA prepared by LDA Design. I note the following in relation to that review which confirms that the LVIA was undertaken in accordance with best practice; the assessment findings are broadly agreed; that impact on landscape character and visual receptors will be localised; and it acknowledges the benefits will arise to Green Infrastructure:

*'The LVIA has been carried out in accordance with the principles set out on the third edition of "Guidelines for Landscape and Visual Impact Assessment"(GLVIA3) and includes a review of the landscape baseline and an assessment of landscape and visual receptors that includes sensitivity, magnitude of change and scale of effect. In summary, it concludes that the scale of effect is as follows:*

*"Effects on the Borehamwood Plateau Landscape Character Area in which the Site lies, would be Major- Moderate and Adverse reducing to Moderate and Adverse in the Long-term." "Long-term effects would be Major-Moderate and Adverse for visual receptors within the Site (i.e., public rights of way). For visual receptors in the immediate vicinity of the Site (i.e., within 150m) effects would range from Moderate to Slight Adverse."*

*"In broad terms, we agree with these statements and the assessment findings, and understand that there will be adverse harm to the landscape character and visual receptors that cannot be mitigated through screening or planting. However, we also acknowledge that this will be localised and that the enhancements proposed as part of the Landscape Ecology proposal will have a positive impact on the wider GI network and ecological value of the site that could outweigh this harm."*

- 2.5.4. In addition to the Council's Place Services report, the Officers also noted representations made to HBC on the application received from Aldenham Parish Council, based on a report on the application advice prepared by a specially commissioned planning consultant (DLA Town Planning) with also forms Appendix 2 to Aldenham Parish Council's Statement of Case [CD-ID7A para 6.10].
- 2.5.5. The DLA report concludes that the proposal '*would not cause much harm to the open character of the Green Belt except when seen at close quarters*' and '*would only result in limited visual harm... to the Green belt.*' [pg. 163 para 10.23 - CD-PA27]
- 2.5.6. The findings of the DLA Town Planning report in fact supports my assessment of the project impacts, noting that the landscape character of the area limits the nature and extent of visual and landscape impact of the proposal:

*'The application site forms an area of relatively flat land within this large swathe comprising the plateau. The site has a gently undulating character of agricultural fields to the eastern parcel, with the western parcel having a bowl-like landform as it rises up to Elstree Aerodrome. This landform, as it is not overlooked from higher ground, and the existing screening serve to limit views into the application site. The application proposals would not result in the loss of any existing hedgerows or individual trees and would be enhanced with new planting and/or a relaxation of the existing management regime. Given the small scale and mass and the relatively low height of the proposals and their dispersal throughout the site, with existing and proposed landscaping restricting views from the wider area, I consider that the landscape consultants are right to conclude that, whilst the proposals would by definition, have an adverse visual impact, the significance of the impact on viewers within 150m of the site would range from Moderate to Slight Adverse but beyond this all other viewers would experience negligible visual effects. Consequently, I consider only limited visual harm would be caused to the Green Belt.'*

2.5.7. The Planning Officer in summarising his review of relevant submissions and advice, notes the landscape and visual impact would be limited, that impacts would be moderate or slight in the wider area and greater impacts only very locally.

*"..... it is considered that the impact on the openness of the Green Belt, and the landscape and visual impact on the rural landscape would be limited, and that only moderate or slightly adverse impacts would result from the development, except when seen at close quarters (within 150 metres of the site). This harm must be weighed against the very special circumstances, which are assessed in other parts of this report - particularly in the section relating to climate change and sustainability and in the section relating to ecology and wildlife benefits."*

2.5.8. The Officer subsequently recommended that the application should be approved and concluded that: *"the proposals' impacts are acceptable subject to appropriate conditions and the harms identified would be outweighed by the benefits which amount to VSC [very special circumstances]."*

## **2.6. Decision Notice**

2.6.1. The Planning Committee's Decision Notice [CD- PA22] rejected the recommendation of the Officers Report and records two reasons for refusal. Reason 1 is of relevance to my evidence noting the development would be 'harmful' to openness and that the weight accorded to the harm to the Green Belt was greater than the very special circumstances presented.

2.6.2. Reason 1: Inappropriate development in the Green Belt.

*"The proposal would be an inappropriate development that would be harmful to the openness of the Green Belt in which it would be located. The Council considers that the*

*benefits that the scheme would bring are not such as would amount to very special circumstances sufficient to outweigh the harm to the Green Belt, even when the wider environmental benefits associated with the increased production of energy from renewable sources have been taken into consideration (pursuant to paragraph 151 of the National Planning Policy Framework 2021). As such, the proposal would be contrary to paragraphs 147 and 148 of the National Planning Policy Framework and contrary to Policy SADM26 (Development Standards in the Green Belt) of the Hertsmere Local Plan (Site Allocations and Development Management Policies Plan) 2016.”*

- 2.6.3. Mr Paul Burrell provides evidence on the harm to Green Belt openness (policy harm) and other harms arising from the proposal, drawing on my evidence in relation to landscape and visual impact (other harm) and the impact on visual openness. He addresses the very special circumstances of the project, some of which I present, and he provides an overall judgement on that central policy issue as well as the wider planning balance.

### 3.0 Statement of Case

#### 3.1. Applicant's Statement of Case

3.1.1. I refer to the applicant's SOC and specifically my contributions to the SOC in relation to Green Belt Impacts [CD-ID1] with reference to Issue 1- Effect Upon the Green Belt.

*"Whilst it is accepted that during the lifetime of the development there would be an impact upon the openness of the green belt, .... the Proposed Development would not materially harm the sense of perceived openness of the Green Belt due to the low-profile nature of the Proposed Development. Furthermore, there would be a long term enhancement of the green belt since the existing and proposed green infrastructure across the site would be retained and enhanced, which in turn would reinforce the landscape character and would remain after decommissioning as a positive legacy of the scheme in the long term. Indeed, with the continued growth of the vegetation, together with the proposed landscape, recreational and ecological proposals, the green infrastructure and the green belt in the longer term would be significantly enhanced."*

3.1.2. A Green Belt Legacy Statement has been prepared that forms a suite of plans in Figure 12 of my proof to explain this strategy in greater detail with a description of legacy proposals described in Section 6 of my evidence. In summary, the Proposed Development would increase recreational opportunities across the site during the operational phase of the development. The overall character of the fields would remain, accepting that they would also accommodate a solar farm during operational life of the solar farm and the fields would return to potential agricultural use after the expiry of permission with elements of planting and habitat creation remaining in place. The Appeal Site would continue in agricultural use as pastureland for sheep grazing which would form an integral part of the

ongoing management and maintenance of the site, but the overall site would benefit from enhanced green infrastructure and ecological benefits explained in Section 6. These permanent legacy benefits, would also contribute to heritage benefits as detailed in Ms Stoten’s proof of evidence, such as the planting of parkland trees informed by historic planting locations.

- 3.1.3. The configuration of the network of fields would continue to remain and prevail with the scheme in place with significant strengthening and restoration of former and existing field boundaries. The public access would facilitate informal education opportunities. The enhanced green infrastructure would form significantly increased habitat would have a beneficial effect with regards to net biodiversity gain. The green infrastructure strategy would also allow the facilitate the opportunity to introduce historic landscape character reinstatement.
- 3.1.4. Beyond the public right of way network that crosses the site, the actual visual envelope and degree to which the Proposed Development would be seen from the surrounding area would be very limited in extent. The visibility of the scheme is relatively limited despite the overall size of the Proposed Development.
- 3.1.5. Only the landscape character within the site would change. Beyond the Appeal Site, the landscape of the surrounding area would remain physically unchanged. With the scheme removed after 35 years, the proposal would leave an enhanced environment in landscape character terms which I describe in Section 6 of my evidence.
- 3.1.6. The Reason for Refusal does not cite residential visual amenity as a specific concern, which is consistent with the Officer's Committee Report. Residential amenity is also not considered to be materially affected."

### 3.2. Hertsmere Borough Council's Statement of Case

3.2.1. HBC raise matters relating to my area of expertise and I list the main issues raised within their SOC which I address in Section 7 of my evidence comprising:

- 1) The proposed development is considered to represent an urbanising influence and conflicts with the fundamental aim of Green Belt policy... The proposed development prejudices the Green Belt purpose of safeguarding the countryside from encroachment. This Green Belt purpose is addressed by Mr Burrell.
- 2) That the concept of openness is a broad policy concept and refers back to the fundamental aim of Green Belt policy...that visual effects can be a consideration in determining a development's impact on openness, albeit the concept of openness includes both visual and spatial components
- 3) The amelioration in visual impact cannot mitigate spatial harm and visual impact cannot be used to demonstrate that no impact or harm is caused... imperceptible development can still have a spatial impact
- 4) Material harm can be apportioned to both the perceived sense of openness and actual Green Belt openness and that harm arises from the development when considering openness from a point of view of spatial and visual impacts
- 5) The visual harm arising from the development relates to visual amenity as well as the visual aspect of openness
- 6) The development of structures which are no more than three metres in height is not regarded to be insignificant
- 7) There will be adverse effects on landscape character and visual receptors that cannot be mitigated through screening or planting
- 8) The council does not accept that the proposed enhancements will have a positive impact on the wider site to the extent they would outweigh that harm
- 9) In relation to public benefits: very limited weight can be afforded to the landscape enhancements or permissive rights of way. The latter due to overall harm to the footpath network forming "tunnels" formed by fencing



10) One of the new permissive rights of way is "merely" a diversion of an existing footpath and is not regarded as a net improvement

### **3.3. Rule 6 and other Third-Party Comments and Statements of Case**

3.3.1. There are two Rule 6 parties who raise matters relating to my area of expertise and I list the main issues they raise in their SOC in addition to those raised by HBC. I address these matters in Section 7 of my evidence. The issues comprise the following:

#### **The Combined Objectors Group [CD-ID6]**

- Landscaping should be given only limited weight
- Question how comprehensive the LVIA is ref character assessment impacts incl. scale of harm, extremely harmful impact on the attractive open character and viewpoint locations/ numbers
- The nature of 'Long Term' with ref to GLVIA

#### **Aldenham Parish Council - (HCUK Group) [CD-ID7]**

- Scale of impacts on landscape character - in principle confirming the LVIA judgement
- Impact on rights of way
- Impact on the attractive open character

### **3.4. Scope and structure of Evidence**

3.4.1. My evidence is concerned with: the landscape and visual effects of the proposal; and design and masterplanning matters which relates to Reason for Refusal no. 1; Green Belt matters, which I address in relation to alleged Green Belt harm. My evidence includes consideration of the effects on visual openness arising from the proposal. I also address matters relating to landscape and visual impacts raised by Rule 6 parties including impacts on public rights of way.

3.4.2. The background and planning policy context are set out fully in Mr Burrell’s Proof of Evidence and I briefly outline relevant policy to my area of specialism in Section 4. Evidence regarding heritage effects will be provided by Ms Gail Stoten.

3.4.3. My evidence refers to a separate A3 bound appendix of figures which have in the most part, been extracted from the LVIA which accompanied the planning application. In addition, I have provided:

- Cross sections to support a better understanding of the proposals (Figure 10).
- A brief sequential assessment of views (incl. a location plan) from public rights of way extending through the site in general accordance with Table 7.1 of GLVIA and at the request of the Inspector (Figure 11).
- A series of 3 plans that illustrate the Green Belt Legacy (Figure 12) comprising: the existing situation, the proposed development (35 year operational life) and the long term Green Belt outcome. The latter illustrates the long term benefit of the landscape proposals for example, securing improved hedgerow cover and provision of parkland trees reflecting the former estate planting as described in Section 6 of my evidence.

3.4.4. I have structured my written evidence in the following way:

- First, in Section 4 I describe the site and its landscape context to assist the understanding of the main landscape and visual characteristics of the Site and its context.
- Secondly, in Section 5 I outline the main planning policy matters of relevance to the project and landscape matters.
- In Section 6 I describe the development proposal and how landscape and visual considerations have shaped the design of the proposed development. I explore the main components of the masterplan and identify the key issues taken into account during the design development, including matters raised during the consultation process.
- In Section 7, I provide a detailed commentary of the main landscape and visual effects of the proposal.

- In Section 8 I address the alleged harm to the Green Belt (visual openness) in relation to the proposal and relevant to my area of expertise.
- In Section 9 I provide a summary of my evidence.

## 4.0 Appeal Site Description and Landscape Context

- 4.1.1. The Appeal Site is approximately 130.6ha in size and is located on land to the northeast and west of Elstree Aerodrome. The Site is divided into two areas: the eastern land parcel and the western land parcel. Both areas are characteristic of the area, being predominantly in arable production with a network of established field boundaries.
- 4.1.2. The settlement of Bushy lies approximately 250m to the west, Borehamwood 750m to the east and Radlett 790m to the north. The villages of Letchmore Heath lies approximately 530m to the north and Patchetts Green 1km to the northwest.
- 4.1.3. At a national level, the Site is situated entirely within National Character Area (NCA) 111: Northern Thames Basin as identified in Natural England's National Character Area Profiles.
- 4.1.4. The Northern Thames Basin Heaths NCA occupies a large area to the north of Greater London from Watford eastward to Southminster and Southend on Sea. Land within the east of this NCA forms part of the Metropolitan Green Belt. In the west of this NCA, 20th century development has given rise to large and densely settled conurbations including built forms of Watford, Enfield and Chigwell. Further east, including the Site, settlement is more dispersed although large towns such as Brentwood, Billericay and Brentwood are present. The far east of the NCA transitions into the Greater Thames Estuary NCA of the east coast.
- 4.1.5. Key characteristics of relevance to the Site and study area include [inter alia]:
- *"The landform is varied with a wide plateau divided by river valleys. The prominent hills and ridges of the 'Bagshot Hills' are notable to the northwest and extensive tracts of flat land are found in the south."*

- *"Characteristic of the area is a layer of thick clay producing heavy, acidic soils, resulting in retention of considerable areas of ancient woodland."*
- *"Diverse landscape with a series of broad valleys containing the major rivers Ver, Colne and Lea, and slightly steeper valleys of the rivers Stour, Colne and Roman. Numerous springs rise at the base of the Bagshot Beds and several reservoirs are dotted throughout the area."*
- *"The pattern of woodlands is varied across the area and includes considerable ancient seminatural woodland. Hertfordshire is heavily wooded in some areas as are parts of Essex, while other areas within Essex are more open in character. Significant areas of wood pasture and pollarded veteran trees are also present."*
- *"Mixed farming, with arable land predominating in the Hertfordshire plateaux, parts of the London Clay lowlands and Essex heathlands."*
- *"The diverse range of semi-natural habitats include ancient woodland, lowland heath and floodplain grazing marsh and provide important habitats for a wide range of species including great crested newt, water vole, dormouse and otter."*
- *"Rich archaeology including sites related to Roman occupation, with the Roman capital at Colchester and City of St Albans (Verulamium) and links to London. Landscape parklands surrounding 16th- and 17th-century rural estates and country houses built for London merchants are a particular feature in Hertfordshire."*
- *"The medieval pattern of small villages and dispersed farming settlement remains central to the character of parts of Hertfordshire and Essex. Market towns have expanded over time as have the London suburbs and commuter settlements, with the creation of new settlements such as the pioneering garden city at Welwyn and the planned town at Basildon."*

## 4.2. Local Landscape Character

4.2.1. The Hertfordshire Landscape Character Assessment (2001) considers landscape character at a local level. Figure 4 of my proof of evidence illustrates the landscape character areas in relation to the Site and assessed as part of the LVIA [CD-PA15]. The following landscape character areas are within the LVIA 2km study area and assessed as part of the LVIA:

- Aldenham Plateau;
- Borehamwood Plateau (which contains the Appeal Site);
- Bushey Hill Pastures;
- Bushy Swards;
- Elstree Ridge and Slopes; and
- High Cannon Valley and Ridges.

### **4.3. Local Visual Environment**

- 4.3.1. The local visual environment is described in Section 5.5.1 of the LVIA [CD – PA15] and I confirm that I agree with that description. I note the following in relation to that description.
- 4.3.2. Figure 1 illustrates the location of the Appeal Site between the towns of Bushey, Radlett and Borehamwood. The area in general, is characterised by large scale settlement, agricultural land and a relatively strong vegetative network of field boundaries and woodland blocks.
- 4.3.3. Figure 2A illustrates the extent of Landscape policy and designations including the location of the Registered Park and Garden of Aldenham Park to the south of the Appeal Site and the country park immediately to its west and in the vicinity of the site. I provide a further plan (Figure 2C), which illustrate wider Green Belt context. I note Hertsmere’s Core Strategy [CD-HBCLP1] records at paragraph 5.53 80% of the entire LPA area lies within the Green Belt a matter Mr Burrell addresses in detail in his evidence.
- 4.3.4. Figure 3A illustrates the topography of the area and Figure 3B illustrates the vegetation cover of the Appeal Site and local area with reference to an aerial photograph.

- 4.3.5. I note the 'bowl' like character of the site's wider topographic context sitting as it lies in relatively low ground surrounded by rising ground to the north, east and south.
- 4.3.6. The eastern site area occupies a gently undulating area of the Borehamwood Plateau bisected by Aldenham Brook and comprises agricultural fields used for arable and rough grazing. There is a strong network of vegetation within and near to the Site which serves to limit views including the scrubby vegetation along the Aldenham Brook, internal field boundaries, vegetation along Butterfly Lane (including Aldenham Park) and vegetation aligning Watling Street and Aldenham Road. Scrubby vegetation is also present on the former landfill site within the Site (Field 20). The presence of powerlines, small scale light industry at Slades Farm, and sports complex buildings and floodlighting of Aldenham School and Haberdashers' Aske's school are visible from within the locality.
- 4.3.7. Views are generally restricted to the north by extensive field boundary vegetation, to the east by vegetation along Watling Street, to the south by vegetation along Butterfly Lane and to the west by vegetation along Aldenham Road.
- 4.3.8. The western site area is characterised by its local bowl like landform rising from low ground to the west associated with the Clone River up to Elstree Aerodrome to the east. Vegetation of along the A41 and Hilfield Lane serve to restrict views of the lower fields, which gently undulate eastward, although the central fields on the slope of the bowl are more visually open where longer distance views to tall buildings in Watford are possible. An established belt of vegetation forms an effective visual screen along the eastern boundary of the western site parcel.
- 4.3.9. Views are also generally limited to the north by field boundary vegetation and topography of the landform, to the east by field boundary vegetation, to the south by vegetation at Hilfield Castle and reservoir and the west by vegetation along the

A41 and M1. The audible and visual intrusion of Elstree Aerodrome, the A41 and M1 are notable.



## 5.0 Planning Policy

- 5.1.1. Planning matters, including Green Belt policy, are addressed in detail by Mr Burrell.
- 5.1.2. Relevant planning policy to my area of expertise comprise: Landscape and Visual, Green Belt in so far as the contribution visual openness makes to the openness of the Green Belt and to which I defer to Mr Burrell in terms of policy detail, and design.

### **National Planning Policy Framework (NPPF) [CD-NPP1]**

- 5.1.3. The National Planning Policy Framework (NPPF, July 2021) makes clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12), and effects on Green Belt (Section 13) and the natural environment (Section 15) are important components of this.
- 5.1.4. Paragraph 11 sets out that in determining applications for development this means that developments which accord with an up-to-date development plan should be approved. Where the development plan is not fit for the purpose of determining the application, paragraph 11 directs that the permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or *“the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”*.
- 5.1.5. Section 11 sets out considerations in ‘Making Effective Use of Land’ and notes in paragraph 111 *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”*

- 5.1.6. Paragraph 120 subsection a) adds: *“planning policies and decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;”*
- 5.1.7. In relation to good design, paragraph 130 of NPPF states [inter alia]:
- 5.1.8. *“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. 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*
  - e. 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.”*
- 5.1.9. Paragraph 132 of the NPPF relates to design evolution and assessment of individual proposals and notes:
- “Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the*

*views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot."*

5.1.10. Conserving and enhancing the natural environment is considered in Section 15 of the NPPF. In particular paragraph 174 states:

*"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"*

5.1.11. Paragraph 175 adds:

*"Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries."*

**5.2. Planning Practice Guidance for Design (March 2014) [CD-NPP4]**

5.2.1. The guidance sets out principles in respect of the design of a development, noting that:

*“As set out in paragraph 134 of the National Planning Policy Framework, development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*

*“Good design is set out in the National Design Guide under the following 10 characteristics:*

- *context*
- *identity*
- *built form*
- *movement*
- *nature*
- *public spaces*
- *uses*
- *homes and buildings*
- *resources*
- *lifespan”*

**5.3. Planning Practice Guidance for Renewable and Low Carbon Energy (June 2015) [CD-NPP4]**

5.3.1. This NPPG states:

*“The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them.”*

5.3.2. In relation to impacts the NPPG records:

*“Local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than when dealing with set back distances for safety, distance of itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including factors such as topography, the local environment and near-by land uses. This is why it is important to think about in what circumstances proposals are likely to be acceptable and plan on this basis.”*

5.3.3. Specifically in relation to large scale solar the NPPG notes:

*“The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.”*

*“Particular factors a local planning authority will need to consider include:*

- *encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;*
- *where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013 and written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015.*
- *that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;*
- *the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;*
- *the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;*
- *the need for, and impact of, security measures such as lights and fencing;*
- *great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;*
- *the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;*
- *the energy generating potential, which can vary for a number of reasons including, latitude and aspect.*

*The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero."*

#### **5.4. Local Planning Policy**

5.4.1. The site lies within Hertsmere Borough Council (HBC). Policies relevant to this my evidence as part of this Appeal are illustrated on Figure 2.

5.4.2. Current local planning policy is set out within Hertsmere Local Plan 2012-2027. This comprises the Core Strategy (2013) [CD-HBCLP1] and Site Allocations and Development Management (SADM) Policies Plan [CD-HBCLP2], along with the Elstree Way Corridor Area Action Plan.

5.4.3. The Radlett Neighbourhood Plan has been adopted and covers the town of Radlett and its hinterland approximately 400m to the north of the Site at its closest boundary. Review of the Radlett Neighbourhood Plan has concluded no policies are relevant to this appeal.

#### **5.5. Hertsmere Local Plan Core Strategy (January 2013)**

5.5.1. This document [CD-HBCLP1] forms part of the statutory development plan for the Borough, setting out HBC's vision and strategy for the area. Those policies of relevance to my evidence are summarised below.

- **Policy SP2 - Presumption in Favour of Sustainable Development**

*"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly, in particular through the preapplication process, to find solutions which mean that proposals*

*can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

- **Policy CS12 – Enhancement of the Natural Environment**

*"All development proposals must conserve and enhance the natural environment of the Borough, including biodiversity, habitats, protected trees, landscape character, and sites of ecological and geological value, in order to maintain and improve environmental quality, and contribute to the objectives of the adopted Greenways Strategy and the Hertsmere Green Infrastructure Plan. Proposals should provide opportunities for habitat creation and enhancement throughout the life of a development."*

- **Policy CS15 – Promoting recreational access to open spaces and the countryside**

*"The Council will work with its partners and relevant agencies to safeguard, enhance and facilitate access to parks, open spaces, rural visitor attractions and to the wider local countryside... Measures which secure the provision of safer and more secure car-free access including enhancements and additions to the rights of way / Greenways network as set out in the Council's Greenways Strategy, will be actively sought where they do not present a risk to the biodiversity value and intrinsic environmental quality of the locality. The provision or enhancement of visitor and appropriate facilities in the countryside, including Watling Chase Community Forest Gateway Sites and Historic Parks and Gardens, will be encouraged..."*

- **Policy CS22 - Securing a high quality and accessible environment**

*"In line with the Planning and Design Guide SPD the Council will require all development to be of high quality design, which ensures the creation of attractive and usable places. Development proposals should take advantage of opportunities to improve the character and quality of an area and conserve the Borough's historic environment..."*



**5.6. Site Allocations and Development Management Policies Plan (November 2016)**

5.6.1. This document [CD-HBCLP2] provides further policy guidance in support of the Core Strategy. Relevant polices are summaries below:

- **Policy SADM11 - Landscape Character**

*“Development will be managed to help conserve, enhance and/or restore the character of the wider landscape across the borough. Individual proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition, including as described in the Hertfordshire Landscape Character Assessments. The location and design of development and its landscaping will respect local features and take opportunities to enhance habitats and green infrastructure links. Landscaping schemes should use native species which are appropriate to the area.”*

- **Policy SADM12 - Trees, Landscaping and Development**

*“Planning permission will be refused for development which would result in the loss, or likely loss, of: healthy, high quality trees subject to a Tree Preservation Order; or any healthy, high quality trees and/or hedgerows that make a valuable contribution to the amenity or environment of the area in which they are located... All development affecting trees, hedgerows and other plants or landscaping should be consistent with the Biodiversity, Trees and Landscape SPD and BS5837 (or any subsequent guidance). This includes the requirement for appropriate landscaping schemes and, if necessary, replacement trees.”*

- **Policy SADM13 – The Water Environment**

*“The natural environment of watercourses and areas of water will be improved wherever possible through Policy SADM16. Watercourses, including culverts, land adjacent to*

*rivers, functional floodplains and flood storage areas should be restored to their natural state."*

- **Policy SADM28 - Watling Chase Community Forest**

*"The Watling Chase Community Forest and its gateway sites are indicated on the Policies Map. The Forest Plan and supplementary planning guidance will be material considerations in the determination of planning applications in the Forest area. The Forest Plan also provides the framework for formulating and implementing projects in partnership with the Countryside Management Service, Natural England, Forestry Commission and the other local authorities."*

- **Policy SADM30 - Design Principles**

*"Development which complies with the policies in this Plan will be permitted provided it:*

- i. makes a positive contribution to the built and natural environment;*
- ii. recognises and complements the particular local character of the area in which it is located, and*
- iii. results in a high quality design.*

*In order to achieve a high quality design, a development must:*

- i. respect, enhance or improve the visual amenity of the area by virtue of its scale, mass, bulk, height, urban form; and*
- ii. have limited impact on the amenity of occupiers of the site, its neighbours, and its surroundings in terms of outlook, privacy, light, nuisance and pollution."*

## **5.7. Biodiversity and Trees Supplementary Planning Document (SPD) (2010)**

- 5.7.1. This document [CD-HSPD1], adopted as SPD by HBC, provides overarching guidance in relation to biodiversity and trees within the Borough. Parts C and D specifically relate to trees and protected trees, woodlands and hedgerows

respectively and set out practical guidance in relation to the considering these features in the planning and design process.

## 5.8. Watling Chase Community Forest Supplementary Planning Guidance (SPG) (undated)

5.8.1. This document provides overarching advice for landowners, developers and users to highlight the importance of the Watling Chase Community Forest and to explain how development proposals within it can help achieve its objectives. The main objectives of the Community Forest are identified as [inter alia]:

- *“creating a visually exciting and functionally diverse environment;*
- *regenerating the environment of the Green Belt and similar areas;*
- *protecting sites of nature conservation value and creating new opportunities for nature conservation;*
- *protecting areas of high quality landscape*
- *increasing opportunities for sport and recreation and improving access to the countryside;*
- *providing new opportunities for the educational use of the area”*

5.8.2. In relation to development proposals within the Forest the document states [inter alia]:

- *“measures to ensure that a development proposal has overall a beneficial impact on the Forest, for example by compensating for any loss of amenity caused, should be built into the development scheme.”*
- *“other benefits to the Forest which could be achieved, for example improving public access or public enjoyment of the Forest, and which are relevant to the development proposal should be considered.”*
- *“Provision for the long-term management of open space, planting etc. should be planned.”*

**5.9. Climate Change and Sustainability: Interim Planning Policy Position Statement (Nov 2020)**

5.9.1. This document [CD-HSPD2] sets out HBC’s interim position in relation to planning applications in terms of meetings its commitment to achieving carbon neutrality until adoption of the new Local Plan. The document details a number of clarification and guidance points in relation to existing policy and how HBC will interpret these in light of it declaring a Climate Emergency. In essence this document strengthens further the need for all planning proposals to respond and contribute positively to the need to deliver sustainable development that assists in combatting climate change. In particular, Policy CS17 – Energy and CO2 reduction which states [inter alia]:

*“The Council will also permit new development of sources of renewable energy generation subject to:*

- *local designated environmental assets and constraints, important landscape features and*
- *significant local biodiversity;*
- *minimising any detriment to the amenity of neighbouring residents and land uses; and*
- *meeting high standards of sustainable design and construction.”*

5.9.2. In addition, the document adds the following guidance text to Policies SADM11 Landscape Character and SADM12 Trees:

*“The Council wish to see proposals for real and significant landscape and green infrastructure improvements integrated to all planning applications.*

*Green infrastructure should be integrated as a key component of all schemes but in particular for major developments. Developers will be expected to include proposals for the management and maintenance of such infrastructure as part of their proposals.”*

## 6.0 Design Evolution and Mitigation

### 6.1. Project design

- 6.1.1. The proposals are illustrated in Figure 5 of my evidence and were described in Section 6.0 of the LVIA [CD-PA15] and outlined in the Design and Access Statement that accompanied the application [CD-PA5].
- 6.1.2. The site areas emerged from a structured process of site selection narrowing to the proposed land area that comprises the red line boundary of the planning application proposals before this inquiry. The site selection process resulted in the identification of a site of two parts comprising farmland (ALC grade 3b) separated by: retained open farmland extending west of Aldenham Road; an operational airfield - London Elstree Aerodrome; and Hilfield Park Reservoir (designated a Local Nature Reserve). The site selection process is described in the Design and Access Statement [CD-PA5].
- 6.1.3. LDA Design have been involved in the project since the identification of the main site area and have advised the client through public and stakeholder consultation prior to the application being submitted. I consider that the proposals represent good design and that the proposals: respond appropriately to its context; is well integrated within the wider landscape substantially due to the site configuration and its relationship to the existing landscape; the nature of the landscape character surrounding the site itself; the structuring themes/principles and the landscape strategy underpinning the site proposals themselves.
- 6.1.4. I have described the landscape character of the area and the 'bowl like' nature of its topography illustrated in Figure 3A and the nature and significance of its vegetation which forms a key part of the reasoning for its successful integration

and the limit of visual and character affects arising from the proposal, illustrated in Figure 3B.

6.1.5. There are 8 main structuring themes/principles that characterise the site layout that seek to address the proper integration of the proposals into the landscape, minimise landscape and visual effects and changes in amenity, address visual openness and secure beneficial outcomes. I refer to Figure 6A to support the identification of where these themes/principles apply and later in evidence describe the key landscape moves that deliver on these themes, in greater detail.

- 1) Establishing a landscape framework: including the retention of all existing vegetation, undertaking additional planting, securing management of the landscape assets and habitats;
- 2) Respecting heritage assets: responding to wider settings; Setting back from roads: providing for visual openness immediately adjoining roads connecting communities;
- 3) Setting back from residential dwellings: providing separation of solar development from communities and properties;
- 4) Setting back from existing rights of way: providing an open setting to the immediate context of rights of way;
- 5) Setting back from existing vegetation: the effect of this is to extend the distance of offset of solar development experienced from rights of way and also benefit visual openness from local roads;
- 6) Improving connections: the site provides opportunities to improve public rights of way connectivity linking communities to the landscape through provision of new permissive routes; and
- 7) Appropriate siting of battery storage: locating the proposed battery storage facility close to the existing Elstree Substation, overhead power line pylons and light industrial development associated with Aerospace Reliance and adjoining businesses and distanced from residential properties.

6.1.6. I now describe the 6 main elements of the landscape strategy (Figure 6B) embedded in the proposals and how landscape and context considerations have influenced these. I also draw attention to the nature of the proposed habitat improvements that will respond to the unique characteristics and opportunities of each area. I refer to Figure 6B that identifies each element. I note that I have provided additional description to area 5 to outline its spatial and character benefits.

**Aldenham Brook Green Corridor**

6.1.7. Aldenham Brook Green Corridor is the main green infrastructure feature of the eastern site area. The corridor follows the Aldenham Brook which extends southwest to northeast, comprising a green corridor ranging between 30 to 95m in width, the corridor will be managed for biodiversity, including enhancement planting and selective scrub clearance of the river channel to improve riparian habitat.

6.1.8. Spurs extending north and south utilise existing hedgerows enhanced with additional planting to provide a network of ecological connections that cross the Site, connecting Little Kendals Wood in the north to ancient woodland at Aldenham Park in the south.

6.1.9. Lengths of this corridor and spurs are accessible via existing public rights of way.

**Hilfield Brook Green Wedge**

6.1.10. Hilfield Brook Green Wedge is the principal green infrastructure feature of the western site area. The wedge extends from the A41 to the Elstree Aerodrome and provides a continuous tract of countryside from the urban edge of Bushy, maintaining continuous views and connectivity to the wider countryside to the



east and views towards Hilfield Castle from an existing PROW extending past Hilfield Park Reservoir.

- 6.1.11. The land will be managed during the operational phase as tussocky grassland with wildflowers providing habitat for skylark, amphibians reptiles, small mammals and pollinators and other invertebrates.

## **Parkland**

- 6.1.12. Two areas of parkland equating to approximately 2.9ha are proposed in the eastern site area: Field 15 is to be retained undeveloped providing an offset west of properties fronting Watling Street to visually conjoin with open land immediately south (Belstone Football Club next to Butterfly Lane); and Field 7 to the south of Aldenham School and associated dwellings east of Aldenham Road. In both cases these open areas will maintain the visual amenity of neighbouring private dwellings and provide a soft interface with the proposed development.
- 6.1.13. These areas will be punctuated by individual native oak trees that will, over time, mature to large specimen trees reflective of parkland at Aldenham House Registered Park and Garden to the south.
- 6.1.14. These open areas would be seeded to a grassland mix and maintained through low intensity grazing.

## **The Orchard**

- 6.1.15. A new orchard is also proposed in Field 7. This would comprise the planting of traditional fruit and nut trees (apple, pear, damson, plum, cherry, hazel, cob nut, walnut). The existing public right of way extending west east footpath would remain open.

- 6.1.16. Opportunities for local groups, including Hertfordshire Wildlife Trust, to take an active role in the maintenance of the orchard will be explored.

**Retained grassland** - Aldenham Park, Slades Farm, Butterfly Lane and Aldenham Road (formerly 'Low Intervention and skylark enhancement area')

- 6.1.17. Land within the red line north of Aldenham Park (Haberdashers' School) and south of Slade Farm and northeast of dwellings on Butterfly Lane at the junction with Aldenham Road including the Battle Axes public house, is to be retained as open grassland. This open land will provide separation for residential properties and the registered park and garden of Aldenham Park and provide an offset from Slades Farm, a listed building.
- 6.1.18. This area comprises the 'Low Intervention and skylark enhancement area' characterised by pasture. The area was a former landfill site, a large area of 6.5ha comprising Fields 18, 19 and 20 which is to be dedicated to low intervention management for skylark habitat enhancement. This rough pasture area with scattered scrub will be remain low intensively managed with low intensity grazing maintaining a low grassland sward for skylark nesting, avoiding grazing in the peak nesting season of April to June, and avoiding the use of fertilizers or herbicides.
- 6.1.19. Butterfly Lane: The effect of retaining this land within the red line, open and the set back of the red line to the east outside the redline and reinforced by the open land in Field 15 in the red line and previously described, is to provide a substantially open setting to Butterfly Lane, supporting ongoing visual openness.
- 6.1.20. Aldenham Road: The effect of retaining this land within the red line open in conjunction with Field 7 (also within the red line and previously described), in conjunction with the retained open land outside the redline west of the road, is to

provide a near continuous break in solar development along Aldenham Road supporting ongoing visual openness.

**Offsetting from PRow and Field Hedgerows**

- 6.1.21. An open ground offset of at least 5m either side of existing and proposed public rights of way and existing hedgerows has been used as standard across the proposed development to support the amenity of the rights of way network in the area and extending through the proposed two site areas.
- 6.1.22. I provide a series of cross sections at Figure 10, through the proposals to illustrate the general effect of these offsets in relation to rights of way and existing vegetation to demonstrate how a sense of visual openness is retained.
- 6.1.23. I elaborate on the changing views experienced from rights of way in Section 7.5 of my evidence providing sequential description of views from 6 rights of way illustrated in Figure 11.

**6.2. Relevant Benefits**

- 6.2.1. I consider the relevant benefits of the proposals within my area of expertise secured through the design, to comprise the following:
  - 1) Rest to farmland and biodiversity net gain: The Proposed Development would benefit the natural environment on the site itself by allowing soil that has long been intensively farmed to rest and rejuvenate under grass for 35 years, and by bringing about a significant net gain in biodiversity on the site (a 39% gain for habitat improvements and a 23% gain for hedgerow improvements) which would benefit not only the site itself but also the adjacent Hilfield Park Reservoir Local Nature Reserve and Local Wildlife Site.
  - 2) Two new permissive rights of way: The Proposed Development would benefit Belstone Football Club and members of the public who use it. One of the two proposed Permissive Footpaths would allow the football club to make use of a

corner of their playing fields that is currently disused as it is frequently crossed by walkers on a public right of way Note, the existing public right of way would remain, but it would be likely to be little used, as I suggest walkers would be use the permissive footpath instead.

Walkers would benefit from the other proposed new permissive footpath at the northern end of the site which would link the existing network of public footpaths on the site with the nearby Hertfordshire Way long distance footpath, to which they are not currently well connected.

### **6.3. Green Belt Legacy Proposals**

- 6.3.1. I would draw attention to Figure 12A - C Green Belt Legacy. This comprises 3 figures that illustrate the present site, the operational phase of the project and the legacy proposals that demonstrate the reversible nature of the project impacts. The legacy proposals illustrate the proposed reversion of the site to farmland with the added benefit of retained enhanced planting including the orchard in Field 7, parkland trees to support historic landscape reinstatement, retained open grassland in Field 20 and retained enhanced stream corridor (Aldenham Brook) habitat extending through the eastern area of the site.
- 6.3.2. These legacy proposals would reinforce and strength the landscape character of the site and provide an enhancement post operation.

## 7.0 Landscape and Visual Impact

7.1.1. The landscape and visual impact of the Appeal scheme was assessed in detailed as part of a standalone LVIA [CD-PA15], scoped out of formal EIA assessment by HDC, and submitted as part of the planning application. I do not intend to repeat that assessment in detail here. However, in relation to the LVIA and predicted impacts it is important to note six important points:

- 1) The LVIA and landscape impacts concluded within that assessment are not a reason for refusal cited by the LPA. Harm that was identified within the LVIA was found by the Officer to be 'acceptable' in that a recommendation for approval was recommended.]. The balancing of harm in planning terms is considered in detail in Mr Burrell's proof of evidence.
- 2) The LVIA was undertaken by LDA Design and used not only as an assessment tool but also shaped the design response as detailed in Section 6.0 of my evidence.
- 3) The LVIA was undertaken in accordance with best practice, including the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment (GLVIA3) and other relevant technical guidance documentation, such as the Landscape Institute's Technical Guidance Note 06/19 Visual Representation of Development Proposals. I note this has been supplemented by a specific request made by the Inspector in relation to sequential view assessment to accord with Table 7.1 of GLVIA. This assessment is outlined in Section 7.5 and Figure 11 of my evidence.
- 4) The scope and approach of the LVIA was agreed in consultation with Place Services acting as landscape advisor on behalf of the LPA, including both the number and location of photographic viewpoints and photomontages, the correspondence details of which are provided in Appendix 6 of the LVIA.
- 5) The findings of the LVIA in terms of the extent and significance of impacts to both landscape character and visual receptors is not disputed by Place Services acting on behalf of the LPA. This is recorded in the formal response from Place Services as set out in the Case Officers report at paragraph "*The LVIA has been*

*carried out in accordance with the principles set out on the third edition of GLVIA3 ... In broad terms we agree with these statements and the Assessment findings”.*

- 6) The findings of the LVIA in terms of the extent and significance of impacts was corroborated by an independent assessment undertaken by DLA Town Planning on behalf of Aldenham Parish Council which concludes that the proposal *“would not cause much harm to the open character of the Green Belt except when seen at close quarters’ and ‘would only result in limited visual harm... to the Green Belt.”* [pg. 163 para 10.23]
- 7) All landscape and visual impacts identified within the LVIA are reversible. At the end of the operational period, the Proposed Development can be decommissioned in full and the land returned to agricultural use in a better environmental condition than that currently. It is the Appellant's strong and clear intention to leave a positive development legacy, returning the Appeal Site to a better condition than at present. This is illustrated in Figure 12, and in particular Figure 12C which shows the Green Belt 'legacy' illustrating the removal of the development and reversion to farmland along with retained elements described in Section 6 of my evidence.

7.1.2. To assist in the Inspector's understanding of impacts presented in the LVIA, I have included the following to my evidence for reference: Figure 7 Public rights of way location plan; Figure 8 ZTV plan including photograph/montage locations; and Figure 9 photomontages. I have also prepared the following additional visual material:

- Figure 10: Section reference plan and sections across selected area/interfaces.
- Figure 11: Sequential Views plan and photographs providing an analysis of the sequential views from public rights of way that pass through the Appeal Site to assist in understanding how the visual and recreational amenity of these might change as a result of the proposed development.
- Figure 12: Green Belt Legacy Plans: A series of three plans illustrating the current existing situation of the Appeal Site, the operational scenario of the Proposed Development, and the long term legacy of the Proposed Development once it has been decommissioned.

7.1.3. I will focus on using the conclusions of the assessment within the LVIA submitted with the application, as the basis for my evidence and demonstrate that the visual impact as it relates/informs consideration of visual openness (harm), is minimal and as confirmed in reports by others including Hertsmere's Planning Services Report and the report prepared by DPA Town Planning for Aldenham Parish Council.

7.1.4. This section will also outline and address the observations of the HBC and Rule 6 Party Statements of Case.

## **7.2. Landscape Character**

7.2.1. The LVIA identifies 5 local landscape character areas drawn from the Hertsmere Landscape Character Assessment for assessment (Figure 4). These are:

- Aldenham Plateau;
- Borehamwood Plateau (in which the Appeal Site lies);
- Bushey Hill Pastures;
- Bushy Swards;
- Elstree Ridge and Slopes; and
- High Cannon Valley and Ridges.

7.2.2. Of these the LVIA, through Zone of Theoretical Visibility (Figure 8) (ZTV) and my own field analysis, I conclude that landscape character area within the LVIA study would prevail and experience Negligible change to their character as a result of the Proposed Development., with the exception of the following LCA areas:

- LCA22: Borehamwood Plateau (in which the Appeal Site lies) and
- LCA16: Aldenham Plateau (which lies adjacent to the north),

- 7.2.3. In relation to the Aldenham Plateau, the I conclude that a Medium term, Minimal and Adverse effect would occur on the landscape character for the operational phase of the Proposed Development reducing to a Negligible as the proposed planting matures.
- 7.2.4. In relation to the Borehamwood Plateau landscape character area (in which the Appeal Site lies) the I conclude a Major-Moderate and Adverse effect for the operational phase of the development reducing to Moderate and Adverse as proposed planting matures.
- 7.2.5. I acknowledge that an impact of Major-Moderate represents a 'significant' impact under the methodology of the LVIA and that, whilst not significant, a Moderate effect nonetheless represents large change to the landscape character. However, I would note that, the nature of the landscape character, including its topography, land use and vegetation cover, means that impacts on landscape character would be primarily a result of the direct physical impact as a result of the Proposed Development in which it lies and not as a result of widescale visibility with associated effects on adjoining landscape character. This direct impact represents approximately 25% of the Borehamwood Plateau character area and is visually limited in extent within the Appeal Site and its immediate context as shown by the Zone of Visual Influence (ZVI) illustrated on Figure 8.
- 7.2.6. Whilst I consider that impacts on the landscape character within the Appeal Site would be significant until planting matures, I also note that the nature of solar farm development means that existing site features within them, such as trees, hedgerows, watercourses, ponds can be retained with little to no impact to them and they are entirely reversible. Moreover, in the case of this project features such as these would be subject to the management prescriptions as set out within the Landscape and Ecology Management Plan (LEMP) [CD-PA11] and managed more



sensitively than at present for biodiversity and visual screening purposes. On this basis I consider that the Borehamwood Plateau landscape character would prevail outside the site and beyond its immediate context.

7.2.7. Figure 12 of my evidence (which I describe in Section 6 of my evidence) shows the permanent legacy of the Proposed Development on the existing landscape and character of the Borehamwood Plateau landscape character area once the scheme has been decommissioned. I identify the following permanent benefits of the scheme:

- The retention of all hedgerow and tree mitigation planting, helping to restore the vegetative cover of the area and re-instating lost hedgerows;
- Retention of the orchard in Field 7
- The retention of open grassland at Field 20;
- Retained enhanced Aldenham Brook corridor habitat extending through the eastern site area; and

7.2.8. Retained (new) parkland trees It is my opinion that these are benefits are substantial and permanent that will contribute positively to the aspirations set out within the Hertsmere Landscape Character Assessment. They will leave the landscape, post decommission, in a better condition than at present and are consistent with Green Belt objectives. Given their nature, extent and permanence, I consider they should be given more than 'limited weight' as advocated by the Combined Objector's Group.

### 7.3. Visual Impact

7.3.1. I now address the visual impact arising from the proposed development and draw from Section 7.5 of the LVIA [CD – PA15].

- 7.3.2. To inform the LVIA visual assessment, 12 representative views (Figure 7 of the LVIA) and 6 illustrative views (Figure 8 of the LVIA) were used to support understanding. My evidence includes the 6 photomontages provided in the LVIA which are provided as Figure 9 in my evidence. The location of these photomontage viewpoints is shown on Figure 8 and Figure 9. I note that these viewpoints were agreed in consultation with Place Services on behalf of the LPA and deemed appropriate and proportionate to understand the potential visual impact the Proposed Development is likely to have.
- 7.3.3. The LVIA identifies 7 receptor groups within the LVIA study area, all considered to be of high-medium sensitivity and containing a variety of visual receptors including settlements, rights of way, local roads and lanes and employees at work.
- 7.3.4. I conclude that there would be Major - Moderate visual impacts limited to users of the rights of way within the Appeal Site which would be considered significant. I consider effects of Moderate significance (which are not considered significant) would occur in the immediately vicinity of the site at:
- Hilfield adjacent to the south of the western development site area,
  - Aldenham Road adjacent to the west of the western parcel and
  - Watling Street adjacent to the east of the eastern site parcel.
- 7.3.5. I consider that the visual effect on the 3 areas above would reduce to Slight or Moderate - Slight in the case of Hilfield, as a result of the maturing planting. All other visual receptor groups for both the short and long term would in my judgement experience impacts of Minimal to Negligible significance.
- 7.3.6. To assist the Inspector in understanding the potential visual impacts to users of rights of way within the site I provide a set of cross sections at Figure 10 and sequential views at Figure 11 which I discuss in Section 7.5.

- 7.3.7. In summary, as with the LVIA's assessment of landscape character, I confirm the conclusions of the LVIA in relation to visual impacts. It is my view the LVIA provides a fair and reasonable assessment of the likely visual impact of the proposals, a view supported by both Place Services on behalf of the LPA and the independent review undertaken by DLA Planning. The Zone of Visual Influence (ZVI) as illustrated on Figure 8 provides a realistic indication of the visibility of the Proposed Development. As with any visual analysis, I acknowledge there may be glimpsed or filtered views from sporadic isolated points beyond the area identified by the ZVI, but these will not in my opinion result in a significant visual impact or significantly impact landscape character. The visibility of the Proposed Development is very limited and localised, by its very characteristic and the nature of the receiving landscape, and whilst there would be significant impacts in the short term to visual receptors in the Appeal Site itself, these would reduce to non-significant levels in the longer term and ultimately are temporary and reversible.
- 7.3.8. On the basis of my analysis, I conclude that the extent of impact on 'visual openness' which I consider to mean the extent to which built development is apparent in the landscape and that may impact its essential countryside character, is limited by virtue of the nature of the type of development itself, comprising predominantly low lying solar panels and fencing, and by the character of the existing landscape itself limiting as it does, the visibility of development within the site due to its topography and vegetation.

#### **7.4. Residential Visual Amenity**

- 7.4.1. As set out in Section 6.0, the approach to the design of the proposals has been informed by an understanding of the relationship of the site to residential properties a matter the appellant has given careful consideration to and actively engaged with neighbouring residents as detailed in Section 2 including visits to

private residential properties. These visits informed the layout to avoid and reduce potential impacts to the residents in addition to my team's own observations on the wider scope of residential impacts.

7.4.2. I noted earlier the theme/ principle relating to securing offsets to residential areas and how this had been secured across the site masterplan.

7.4.3. I reference my sections at Figure 10 which provide an indication of the some of the substantial offsets proposed to the adjacent residential properties of Conygree Cottage on Butterfly Lane (Figure 10: Section D), Ward Cottages on Aldenham Road (Figure 10: Section C) and Medburn Cottage on Watling Street (Figure 10: Section G).

7.4.4. These efforts are recognised in paragraph 10.49 of the Officer's committee report which records that:

*"Impact on one's outlook can be a material Planning consideration (for instance if it were to be blocked at close quarters by an overbearing structure) but an outlook is not the same as a view. A typical garden fence is 1.8m tall and it can be up to 2m tall. The tallest structure that is proposed by the application would be 3m tall (i.e. only half as tall again as a garden fence can be) and no solar panel or other structure would be located in close proximity to the windows or gardens of any of these houses - they would be set away at a distance. In most cases these houses would back onto parts of the site that are to be set aside as nature areas, without any solar panels on them."*

7.4.5. The report continues:

*"The fact that some residents would be able to see the solar farm from their homes (mostly at a distance, from their rear upstairs windows) is not a valid reason for the refusal of*

*planning permission because being able to see a development does not constitute harm to one's amenity in Planning terms".*

7.4.6. In the light of the Landscape Institute's technical guidance (TGN 02/2019 ' Residential Visual Amenity Assessment (RVAA), I consider that the Officer's report to committee correctly concludes that the potential for unacceptable harm to residential visual amenity is not an issue in relation to the Proposed Development.

## **7.5. Impacts to Public Rights of Way**

7.5.1. The impact of the development proposal on PRoW through the Appeal Site has been raised by both The Combined Objector's Group and Aldenham Parish Council as a key area where unacceptable harm would occur. In addition, the Inspector made a specific request to be provide information to support understanding of the impact on rights of way.

7.5.2. To consider this in more detail and in response to the Inspector's specific request, Figure 11 of my evidence provides photographic analysis of the sequential views as a footpath user approaches, passes through, and travels beyond the Appeal Site. I note that the accompanying photo-panels are prepared in accordance with Landscape Institute guidance (Table 7.1 GLVIA).

7.5.3. I confirm that the two site areas (west and east) have been assessed as a single project for the purposes of the LVIA and are visually distinct. It will not however be possible to view the two site areas in conjunction with each other from any vantage point or right of way, with sufficient visual separation secured by vegetation and distance.

7.5.4. Where it is possible to walk the full extent of the site - east to west or north to south - there will be a clear point at which a footpath user will be aware of having

left one site area with solar panels, enter farmland and subsequently re-enter fields characterised by solar panels in the other site area.

7.5.5. In order to demonstrate the nature of the relationship of footpaths extending through the site to the solar panels, fencing and existing vegetation, I have prepared some sections presented in Figure 10. In consideration of Figure 10 and 11 and my findings of the LVIA I highlight 3 key points:

- 1) The consideration of the potential adverse impacts to existing rights of way was an important design principle from the outset, with rights of way used as part of the framework for proposed strategic Green Infrastructure such as the Hilfield Green Wedge and Aldenham Brook Green. The proposals provide suitable offsets of at least 5m either side to the perimeter wooden post and wire fencing (with panels set approximately 5m+ beyond this) embedded as part of the design response. I do not consider that this approach will lead to a tunnelling effect, as alleged by the HBC in their SOC. My site sections at Figure 10, demonstrate the character of the routes at typical sections. The approach provides generous public rights of way routes at a minimum of 10m wide. At this width the extent of the corridor would not feel uncomfortable or oppressive.
- 2) Having re-visited the site in preparation of the sequential analysis, this work corroborates my findings of the LVIA. Only when one is in very close proximity to the Appeal Site (approximately 150m in certain limited areas) would the Proposed Development become visible. This provides confidence regarding the very limited extents of impact to the wider PRoW network.
- 3) Much of the existing rights of way network within the Appeal Site benefits from an existing network of dense hedgerows. These would be retained and allowed to grow to a greater height to provide enhanced screening and biodiversity benefits.

7.5.6. It is important to note that the existing visual and recreational amenity of these rights of way routes is influenced by existing urbanising features including the M1 and A41 roads, existing energy infrastructure including Hilfield substation and

main pylons route that extends across the western parcel and eastern parcels of the Appeal Site.

- 7.5.7. I refer to Figure 11, Routes A, B and C which illustrate the sequence of views from rights of way in relation to the western site parcel. In relation to Route A, I note the importance of the Hilfield Green wedge as a strategic design response in mitigating the prominence of the proposed development in views from this route. From Route B (and also Figure 10: Cross Section BB) and Route C (and also Figure 10: Cross Section AA) which traverse the western site area north to south, the visual screening provided by existing boundary vegetation means that it is not until the footpath user in close proximity of the Appeal Site, views of the proposed development would be visible.
- 7.5.8. In relation to the eastern site area, much of Route D has been integrated as part of the proposed Aldenham Brook Green Corridor, where proposed solar panels are proposed to be well set back from this right of way (Figure 10: Cross Section FF).
- 7.5.9. In terms of other rights of way in the east site area, along with those in the western site area, users of these rights of way would only experience views of the proposed development site in close proximity to it (approximately 150m). It is therefore only when very near to or within the Appeal Site itself, that the views along and amenity of these rights of way routes are impacted. To the south, east and west views are virtually immediately screened by boundary vegetation of the Appeal Site.
- 7.5.10. I acknowledge, along with the LVIA, that adverse impacts will be experienced by rights of way users within the Appeal Site as a result of the proposed development. I also concur with the findings of the LVIA that these impacts would be significant in the short to medium term. However, I support the LVIA's conclusion the proposed mitigation planting, along with the management of

existing vegetation (allowing it to 'grow out'), would reduce the impacts through their screening effect, to a level that would in my opinion, not result in significant harm to visual openness beyond the site area.

**7.6. Hertsmere Statement of Case (SOC)[CD-ID2]**

7.6.1. In Section 3 of my evidence, I recorded the main issues raised in the Statements of Case of both Hertsmere Borough Council and the two Rule 6 parties. I provide a response to matters raised and provide direction, as appropriate, to evidence in Sections 2 - 6.

7.6.2. Before I provide a response to issues raised in HBC's SOC, I would refer to Section 2 of my evidence where the advice and conclusions provided by HBC's Place Services in relation to the application are noted and which I do not believe HBC are disputing.

7.6.3. I note 10 matters of relevance to my area of expertise within Hertsmere's Statement of Case and provide a response to each:

- 1) The proposed development is considered to represent an urbanising influence and conflicts with the fundamental aim of Green Belt policy...The proposed development prejudices the Green Belt purpose of safeguarding the countryside from encroachment.

7.6.4. Evidence provided by Mr Burrell addresses matters relating to policy and Green Belt principles. I consider that any urbanising influence as a result of the visibility of the proposals is limited in extent due to the low lying nature of the type of development and as a result of the landscape character and proposals which serve to limit the extent of visibility. That the concept of openness is a broad policy concept and refers back to the fundamental aim of Green Belt policy...that visual effects can be a consideration in determining a development's impact on openness.



- 2) That the concept of openness is a broad policy concept and refers back to the fundamental aim of Green Belt policy...that visual effects can be a consideration in determining a development's impact on openness.

7.6.5. I have provided in Section 7.2 and 7.3 my opinion on landscape and visual matters and conclude that the impact on visual openness is limited and to that extent, I confirm that this is an important consideration in forming a judgement on the planning balance that Mr Burrell make in his evidence.

- 3) The amelioration in visual impact cannot mitigate spatial harm and visual impact cannot be used to demonstrate that no impact or harm is caused... imperceptible development can still have a spatial impact.

7.6.6. I do not dispute that visual impact cannot mitigate spatial harm or that it cannot be used to demonstrate that no impact or harm is caused in spatial terms. My evidence indicates that the extent of visual harm (visual openness) is limited by both the type of development, existing landscape character limiting as it does the extent of visibility and through proposed mitigation measures including planting and 'growing on' existing planting. As such limiting visual impact does influence the judgement of the extent of harm (not spatial – i.e. policy harm – in principle openness) and also an understanding of the extent of harm to the purposes of the Green Belt.

- 4) Material harm can be apportioned to both the perceived sense of openness and actual Green Belt openness and that harm arises from the development when considering openness from a point of view of spatial and visual impacts

7.6.7. I do not disagree with these matters.

- 5) The visual harm arising from the development relates to visual amenity as well as the visual aspect of openness

7.6.8. I agree that visual harm includes consideration of visual amenity to receptor groups (users of rights of way, publicly accessible areas and residential dwellings

where relevant) and the impact on landscape character itself which relates to the extent to which new development is visible in the landscape and in this case, the changes in character arising from undeveloped fields to fields characterised by solar panels.

6) The development of three metres cannot be regarded to be insignificant, and is exacerbated by the sheer expanse of development

7.6.9. I consider that development at 3m high is as acknowledge and not disputed by HBC themselves, 'reasonably low profile nature of development'. I consider the impacts arising from the development itself are relatively limited as outlined in my evidence in Section 6 With reference to HBCs comment that 'the sheer expanse of development' 'exacerbates' the significant I confirm my assessment detailed in Section 7.2 and 7.3 of my evidence described the impacts taking the extent and hight of development into account.

7) There will be adverse effects on landscape character and visual receptors that cannot be mitigated through screening or planting.

7.6.10. I acknowledge that there are adverse landscape and visual impacts arising from the development but note these are limited to the extent outlined in my evidence in section 7.2 and 7.3, are reversible and that the proposal represents good design working to clear principles that have been applied consistently across the development proposal.

8) The council does not accept that the proposed enhancements will have a positive impact on the wider site to the extent they would outweigh that harm

7.6.11. I do not argue that the proposed enhancements deliver overall positive impacts on the wider site at least until after the operational phase of the development, but nonetheless these do serve to reduce impacts arising from the proposal and that

the harm to visual openness is limited. Mr Burrell provides evidence on the balance in relation to harms and VSC.

9) In relation to public benefits: very limited weight can be afforded to the landscape enhancements or permissive rights of way. The latter due to overall harm to the footpath network forming “tunnels” formed by fencing.

7.6.12. I have outlined the extent of proposed permissive rights of way provided as part of the project in Section 6.2. These rights do provide benefit during the operational life of the project. The weight afforded by this proposal is addressed by Mr Burrell.

7.6.13. I have addressed the matter of visual tunnelling in Section 6 of my evidence.

10) One of the new permissive rights of way is “merely” a diversion of an existing footpath and is not regarded as a net improvement

7.6.14. The proposals do not result in the permanent nor temporary diversion of any rights of way.

## **7.7. Rule 6 Parties SOC [CD-ID6 and CD-ID7]**

7.7.1. This section addresses Rule 6 party matters where these add additional points to those made by Hertsmere Borough Council in their SOC.

### **7.7.2. The Combined Objectors Group [CD—ID6]**

1) Landscaping should be given only limited weight

7.7.3. The role of the proposed landscape in reducing visual effects and reinforcing landscape character are material to a judgement and Mr Burrell addresses this in his evidence.

7.7.4. In addition, I note that HBC noted in the Officer’s original report to committee:

*“In broad terms, we agree with these statements and the assessment findings, and understand that there will be adverse harm to the landscape character and visual receptors that cannot be mitigated through screening or planting. However, we also acknowledge that this will be localised and that the enhancements proposed as part of the Landscape Ecology proposal will have a positive impact on the wider GI network and ecological value of the site that could outweigh this harm”.*

- 2) Question how comprehensive the LVIA is with reference to the character assessment impacts including the scale of harm and note the ‘extremely harmful impact’ on the attractive open character and viewpoint locations.

7.7.5. The scope of the LVIA submitted with the application including selection of viewpoints, was agreed with the Place Service advisor and I do not believe that HBC dispute the scope of the LVIA or how comprehensively it addresses impact. The Officer found the LVIA to be ‘acceptable’ ‘broadly’ agrees with the impacts identified and did not question the assessment of effects. Indeed, neither did the Aldenham Parish advisor (DLA Town Planning) confirmed agreement to the effects identified.

- 3) The nature of ‘Long Term’ with ref to GLVIA.

7.7.6. The scope of the LVIA submitted with the application was agreed with the Place Service advisor and I do not believe that HBC dispute the scope of the LVIA or how comprehensively it addresses impact including the duration of the operational life of the proposal. The Officer found the LVIA to be ‘acceptable’ and ‘The LVIA has been carried out in accordance with the principles set out on the third edition of "Guidelines for Landscape and Visual Impact Assessment"(GLVIA3). The Officer did not question the assessment of effects indeed HBC’s Statement of Case does not seek to pursue any matters in this regard. I note that Aldenham Parish Council’s advisor DLA Planning, confirmed agreement to the effects identified.

**7.7.7. Aldenham Parish Council - (HCUK Group) [CD-ID7]**

7.7.8. This section will address issue raised in Aldenham Parish Council's SOC.

7.7.9. Before I provide a response to issues raised in Aldenham Parish Council's SOC [CD-ID7], I would refer to the advice and conclusions provided by DPA Town Planning who were commissioned to advise the group in relation to the application, which I do not believe the Parish are disputing:

7.7.10. The DLA report concludes that the proposal 'would not cause much harm to the open character of the Green Belt except when seen at close quarters' and 'would only result in limited visual harm... to the Green belt.'

7.7.11. I note the findings of the DLA report support my assessment of the project impacts noting that the landscape character of the area limits the nature and extent of visual and landscape impact of the proposal.

7.7.12. There is a single additional issue raised by Aldenham Parish Council over and above those raised by HBC and The Combined Objectors Group comprising:

4) Impact on the attractive open character.

7.7.13. I do not dispute there will be impacts arising on the landscape character of the site and its immediate context to the extent outlined in Section 7.2 of my evidence. I also note that the landscape is not designated in any special way for its attractiveness or value. I consider the landscape to be relatively unremarkable countryside with areas of consistent farming practice and character but displaying areas of poorer quality including the airfield, former landfill, strategic road network, overhead power lines and the Elstree substation.

## 8.0 Harm to Green Belt

- 8.1.1. Paragraph 148 of NPPF states that: *“Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”* I outline my assessment of the harm to the Green Belt as it relates to visual openness.
- 8.1.2. The aim of Green Belt policy is to protect the open character of the Green Belt.
- 8.1.3. I accept that the change in landscape character from open farmland fields to fields substantially filled by solar panels, will in principle, constitute a significant change in character and a significant reduction in visual openness. The nature, extent and scale of the harm arising from that alteration in character is important to understand and I have addressed that in Section 6 of my evidence.
- 8.1.4. I note the area of the site is 130 hectares but that only 85 hectares would be characterised by solar panels, with 45 hectares remaining undeveloped and be planted or left as open to provide a series of landscape elements described in Section 6 of my evidence including two new parkland areas and meadow grassland areas. These undeveloped areas would be subject to long term management outlined in the Landscape and Ecological Management Plan [CD-PA11] submitted with the application.
- 8.1.5. I refer to my conclusion to Section 7 in relation to the impact on visual openness and Green Belt harm. On the basis of my analysis, I conclude that the extent of impact on ‘visual openness’ which I consider to mean the extent to which built development is apparent in the landscape and that may impact its essential countryside character, is localised and limited by virtue of the nature of the type of development itself, comprising predominantly low lying solar panels and

fencing, and by the character of the existing landscape itself limiting as it does, the visibility of development within the site due to its topography and vegetation.

8.1.6. In addition, I would note in relation to the effect on landscape character, that a large portion of the local landscape character area within which the site lies (Borehamwood Plateau) would remain undeveloped (Figure 4) and its character prevail; and that the proposed development does not bisect the area with an open and undeveloped landscape corridor remaining along Aldenham Road as illustrated in Figure 6C of my evidence.

8.1.7. I consider the overall performance of the Green Belt at a local and more strategic level (Ref Figure 2A – C) would prevail during the operational life of the project. Mr Burrell addresses the matter of Green Belt performance (Aim and Purposes) in detail in his evidence.

8.1.8. I draw attention to the HBC Officer’s report to committee: “

*As regards the development’s impact on the openness of the Green Belt in which it would be located, harm to views of the site from vantage points that are within 150 metres of it would range from Moderate to Slight Adverse. In most cases the visual impact would be localised, and it would be mitigated through the proposed screening (i.e., growing existing hedges taller, planting new hedges and new trees). It is the opinion of the Planning Officer that the public benefits listed below in paragraph 12.10 would clearly outweigh the limited harm that would be caused to the openness of the Green Belt.”*

I agree with his findings.

8.1.9. Finally, I would draw attention to Figure 12A-C Green Belt Legacy and description in Section 6. Figure 12C illustrates the Green Belt legacy outcome and demonstrates the reversible nature of the project impacts post operation,

representing the reversion of the site to farmland with the added landscape and biodiversity benefits outlined in Section 6 and 7 of my evidence.



## 9.0 Summary

- 9.1.1. My evidence relates to Issue 1 outlined in the appellants SOC:
- 9.1.2. What impact and level of harm the Proposed Development would have on the openness of the Green Belt; and whether that the benefits of the Proposed Development would amount to very special circumstances sufficient to outweigh that harm to the Green Belt.
- 9.1.3. I specifically address the matter of visual openness and its contribution to understanding the harm arising from the proposal.
- 9.1.4. LDA Design was appointed as masterplanner and landscape advisor for the project and were involved in the early development of the project proposals and led the site planning process. The LVIA and understanding of heritage matters amongst other considerations, informed the project layout.
- 9.1.5. I describe the proposals in Section 6 of my evidence and demonstrate that the proposal represents good design, responds to its context and as such results in limited harm to visual openness of the Green Belt and addresses matters of public right of way amenity.
- 9.1.6. As part of my preparation for this inquiry I have reviewed the content of the LVIA, and I stand by its content without demur.
- 9.1.7. LDA Design consulted with Hertsmere Borough Council (Place Services) (HBC) to inform our work. Liaison, including meeting the council's landscape architect and representative from Place Services, regarding the principles of the layout/ key structuring moves, which were supported. We also discussed the scope of the LVIA including securing agreement to the assessment viewpoints.

- 9.1.8. The proposals were also informed by visits to individual residential properties as part of the project consultation process to understand the nature and extent of visibility of the site and the proposals. The proposals were developed in the light of these visits.
- 9.1.9. Given the previous positive discussions with Officers of the Council and the recommendation for approval of the application by the Case Officer in the Report to Committee [CD-PA27], it came as a surprise that the Planning Committee resolution was to refuse the application on the 19 November 2021.
- 9.1.10. In reaching his recommendation the Officer correctly noted that "proper weight" should be given to environmental considerations such as "landscape and visual impact".
- 9.1.11. In addition to the Council's Place Services report, the Officer also noted representations made to HBC on the application received from Aldenham Parish Council, based on a report on the application advice prepared by a specially commissioned planning consultant (DLA Town Planning).
- 9.1.12. The DLA report concludes that the proposal 'would not cause much harm to the open character of the Green Belt except when seen at close quarters' and 'would only result in limited visual harm... to the Green belt.'
- 9.1.13. The Planning Officer in summarising his review of relevant submissions and advice, noted the landscape and visual impact would be limited, that impacts would be moderate or slight in the wider area and greater impacts only very locally.
- 9.1.14. *"..... it is considered that the impact on the openness of the Green Belt, and the landscape and visual impact on the rural landscape would be limited, and that only moderate or*

*slightly adverse impacts would result from the development, except when seen at close quarters (within 150 metres of the site). This harm must be weighed against the very special circumstances, which are assessed in other parts of this report - particularly in the section relating to climate change and sustainability and in the section relating to ecology and wildlife benefits."*

9.1.15. I note the content of the Statements of Case submitted by Hertsmere Brough Council, and two Rule 6 parties: The Combined Objectors Group and Aldenham Parish Council (HCUK Group). I provided responses to their main points in Section 7.7 of my evidence.

9.1.16. My evidence is structured in the following way

- In Section 4 I describe the site and its landscape context to assist the understanding of the main landscape and visual characteristics of the Site and its context.
- In Section 5 I outline the main planning policy matters of relevance to the project and landscape matters.
- In Section 6 I describe the development proposal and how landscape and visual considerations have shaped the design of the proposed development.
- In Section 7, I provide a detailed commentary of the main landscape and visual effects of the proposal.
- In Section 8 I address the alleged harm to the Green Belt (visual openness) in relation to the proposal and relevant to my area of expertise.

9.1.17. My evidence refers to a separate A3 bound appendix of figures.

9.1.18. In relation to the existing landscape of the site and its context, Figure 3A illustrates the topography of the area and Figure 3B illustrates the vegetation cover of the Appeal Site and local area with reference to an aerial photograph.

9.1.19. I note the 'bowl' like character of the site's wider topographic context sitting as it does in relatively low ground surrounded by rising ground to the north, east and south and the extent of existing vegetation that supports the screening of the site.

9.1.20. I note the planning policy within the NPPF relevant to my area of expertise and summaries the main issues of relevance to comprise:

- Proposals should represent good design and include effective landscaping
- Proposals should take opportunities to achieve net gain and improve public access to the countryside
- The impact of proposals should be minimised

9.1.21. In relation to the NPPG (National Planning Practice Guidance for Renewable and Low Carbon Energy) I note specific guidance in relation to larger scale solar development:

9.1.22. *“The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.”*

9.1.23. I describe the evolution of the design in Section 6 of my evidence. The proposals are illustrated in Figure 5 of my evidence.

9.1.24. I consider that the proposals represent good design and that the proposals: respond appropriately to its context; is well integrated within the wider landscape substantially due to the site configuration and its relationship to the existing landscape; the nature of the landscape character surrounding the site itself; the structuring themes/principles and the landscape strategy underpinning the site proposals themselves.

- 9.1.25. There are 8 main structuring themes/principles (Figure 6A) that characterise the site layout that seek to address the proper integration of the proposals into the landscape, minimise landscape and visual effects and changes in amenity, address visual openness and secure beneficial outcomes. There are 6 main elements of the landscape strategy embedded in the proposals and how landscape and context considerations have influenced these. I refer to Figure 6B that identifies each element.
- 9.1.26. There are two main benefits I identify in Section 6 of my evidence comprising: rest to farmland and biodiversity net gain and the provision of two new permissive rights of way.
- 9.1.27. In Section 7 of my evidence, I describe the landscape and visual impacts arising from the proposals. It is my view the LVIA provides a fair and reasonable assessment of the likely visual impact of the proposals, a view supported by both Place Services on behalf of the LPA and the independent review undertaken by DLA Planning. The visibility of the Proposed Development is very limited, by its very characteristics and the nature of the receiving landscape, and whilst there would be significant impacts in the short term to visual receptors in the Appeal Site itself, these would reduce to non-significant levels in the longer term and ultimately are temporary and reversible.
- 9.1.28. I conclude that the extent of impact on 'visual openness' which I consider to mean the extent to which built development is apparent in the landscape and that may impact its essential countryside character, is limited by virtue of the nature of the type of development itself, comprising predominantly low lying solar panels and fencing, and by the character of the existing landscape itself limiting as it does, the visibility of development within the site due to its topography and vegetation.

- 9.1.29. I acknowledge that adverse impacts will be experienced by rights of way users within the Appeal Site as a result of the proposed development and that these impacts would be significant in the short to medium term. However, the proposed mitigation planting, along with the management of existing vegetation (allowing it to 'grow out'), would reduce these impacts to a level that would in my opinion not result in significant harm.
- 9.1.30. I would note in relation to the effect on landscape character, that a large portion of the local landscape character area within which the site lies (Borehamwood Plateau) would remain undeveloped (Figure 4) and its character prevail; and that the proposed development does not bisect the area with an open and undeveloped landscape corridor remaining along Aldenham Road as illustrated in Figure 6C of my evidence.
- 9.1.31. Finally, I would draw attention to Figure 12 Green Belt Legacy. This comprises 3 figures that illustrate the present site, the operational phase of the project and the legacy outcome and demonstrate the reversible nature of the project impacts. The latter representing the reversion of the site to farmland with the added benefit of increased planting.