



**TOWN & COUNTRY PLANNING ACT 1990 SECTION 78
TOWN & COUNTRY PLANNING (INQUIRIES PROCEDURE)
(ENGLAND) RULES 2000 (AS AMENDED)**

**PINS ref APP/N1920/W/22/3311193
LPA ref: 20/0971/OUT**

Appeal by

Griggs (Options) Ltd

in relation to

**LAND ADJACENT AND TO THE REAR OF 52
HARRIS LANE, SHENLEY, WD7 9EG**

**PROOF OF EVIDENCE ON OPENNESS AND
LANDSCAPE/VISUAL MATTERS**

prepared by

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on behalf of

Hertsmere Council

March 2023

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1. Introduction

Background

- 1.1 My name is Peter Radmall. I have an M.A. in Geography from the University of Oxford and a B.Phil. in Landscape Design from the University of Newcastle-upon-Tyne. I am a Chartered Landscape Architect and have around 35 years of professional experience.
- 1.2 I have worked for several design and planning practices, and have taught at a graduate and post-graduate level. I have been an independent practitioner for the last 25 years. One of my principal areas of expertise is landscape and visual impact assessment. I have carried out such assessments for a wide range of projects, and have acted as an expert witness on numerous occasions.
- 1.3 I was instructed in February 2023 by Hertsmere Borough Council to prepare this statement in relation to the appeal. This evidence represents my true and professional opinion.
- 1.4 I have visited the appeal site and consulted the relevant sources of information. In addition to the application documents, those of particular relevance include:
- NPPF Chapter 13;
 - Hertsmere Green Belt Assessment [CDE.33-46];
 - Hertsmere Landscape Sensitivity Assessment [CDE.50];
 - Hertfordshire Landscape Character Assessment;
 - Shenley Conservation Area Appraisal; and
 - the Landscape and Visual Impact Assessment (LVIA) [CDA.20].
- 1.5 The development to which this appeal relates is described as follows:
- 22/0971/OUT – Land Adjacent and to the rear of 52 Harris Lane, Shenley, Hertfordshire: Construction of up to 37 dwellings with associated landscaping and open space to include access from Harris Lane. (Outline Application with Appearance, Landscaping, Layout and Scale Reserved).*

2. Scope of this Evidence

- 2.1 The application was refused on 28th October 2022 for a single Reason, the most relevant section of which is as follows:

The proposed development is considered to be inappropriate development in the Green Belt, given that it would fail to comply with any of the defined exceptions at paragraphs 149 and 150 of the NPPF. A case for Very Special Circumstances (VSCs) has been made by the applicant, outlining a number of benefits of the scheme. However, officers consider that these benefits when taken together are insufficient to outweigh the substantial harm to the Green Belt, by virtue of inappropriateness and due to the significant harm to openness that would arise. Accordingly, VSCs do not arise here. Therefore, the proposed development is considered to be contrary to the NPPF (2021), Policies SP1, SP2, and CS13 of the Core Strategy (2013) and Policy SADM26 of the Site Allocations and Development Management Policies Plan (2016).

- 2.2 This evidence relates primarily to the “significant harm” that would be caused to the openness of the Green Belt, whilst also addressing the associated impacts on character and views. The planning balance, specifically whether the test of “very special circumstances” is satisfied, together with the status of relevant policies, is addressed in the separate statement by Ms O’Brien.

- 2.3 The Reason does not make reference to landscape and/or visual harm. However, the Council’s Statement of Case amplifies their reasoning as follows:

As noted within the Committee Report at Appendix 1, there are existing long-ranging views through the site and into the agricultural land beyond from Harris Lane, and the development would be visible in long-ranging views from rural public footpaths to the south-east (Public Rights of Way Shenley 018 and 019). The development proposes the construction of up to 37 dwellings with associated car parking, internal road infrastructure and amenity space on a currently undeveloped parcel of Green Belt land which would have a significant impact on its existing openness, both in a visual sense and in regard to the resulting intensification of use. In addition, the development would result in harm to the character and appearance of the landscape, with a change to the perceived rural landscape character due to existing open views from the aforementioned vantage points becoming enclosed and constrained. [SoC 4.10]

- 2.4 In formulating their Reason, the Council were clearly concerned, not only with the loss of Green Belt openness, but with how this would be perceived and its implications for the character and appearance of the landscape. Accordingly, this

evidence also considers the potential harm to the quality and amenity of relevant views, and to the character of the site and its landscape setting. In so doing, I have drawn on the LVIA, and have carried out a degree of supplementary assessment in order to confirm whether I agree with its conclusions.

3. The Nature of Openness

- 3.1 In view of the core role of openness in the Council's Reason, I wish to make a few preliminary observations about its meaning and its relationship both to the purpose of the Green Belt and to landscape/visual considerations.
- 3.2 Openness is one of the "essential characteristics" of the Green Belt [NPPF137]. Whilst it is not defined – for example, in the Planning Portal glossary - development that involves "*the construction of new buildings*" in the Green Belt is regarded as "inappropriate", due to the loss of openness (NPPF149). A working definition of openness, for the purpose of protecting the Green Belt, might therefore be something like "not built-up" or "a relative absence of built development".
- 3.3 Relativity is important, since very few parts of the Green Belt are entirely devoid of buildings. As a designation, Green Belt typically "washes over" small settlements, as it does in relation to the southern part of Shenley (including the Conservation Area). Whilst adjoining the settlement edge, the appeal site is currently devoid of permanent buildings or structures.
- 3.4 NPPF149 goes on to advise that built development can be appropriate within the Green Belt, provided that it:
- is limited;
 - relates to (infills, replaces or extends) existing built development; and/or
 - is ancillary to uses that maintain a predominance of openness.
- 3.5 Whilst the openness of the Green Belt is primarily a land-use - as opposed to landscape - concept, it is of course perceived visually. It therefore influences the degree of visibility within an area, and the character of the relevant views. In simple terms, as an area becomes more built-up, visibility tends to become restricted, and the views that remain become more enclosed and urban in character. It is also well established that openness encompasses both spatial aspects (i.e. whether land is open as a matter of fact) and visual aspects (i.e. whether this openness can be perceived).
- 3.6 The relationship between visual openness and enclosure is one of the key variables of landscape. In addition to the relative presence of built development, openness

can be influenced by variations in field pattern (where fields are defined by visually impermeable features such as hedgerows) and tree cover. Relative openness is typically a fundamental attribute of the countryside – as reflected by use of the term “open countryside”. As a result, the introduction of built development can have implications for the character and appearance of an area in relation both to its spatial quality and to the relationship between its urban and rural influences.

- 3.7 In this context, it should be noted that the five purposes of the Green Belt include: “(c) to assist in safeguarding the countryside from encroachment” [NPPF 138]. It is clear from the context in which this is used that the intended meaning is to safeguard the countryside from encroachment by urban development, which typically results in the loss both of countryside characteristics and of the views in which they can be appreciated. Since relative openness is one of those characteristics, its protection is critical to an appreciation of the perceptual qualities of the countryside¹.
- 3.8 It is therefore legitimate to consider the related harms to character/appearance and visual amenity that may arise from the loss of openness within the Green Belt.

¹ As identified, for example, in TGN02/21: Assessing landscape value outside national designations [Landscape Institute, 2021].

4. Existing Character and Role of the Site

Intrinsic Character of the Site

- 4.1 The site and its boundaries are described in LVIA Section 4.0 and are shown in LVIA photoviews 1-6. The site comprises “*a roughly rectangular shaped pastoral field which is indented to its south western corner by four semi-detached properties on the edge of Harris Lane. The majority of the Site is open without built structures or field vegetation, although a number of small trees and shed structures are located in the north westernmost part of the Site. A line of overhead wires also run across the south western part of the Site, close to the Site boundary*” [LVIA 4.1].
- 4.2 Photoviews 1-6 (taken within the site, see **Figure 1** below) confirm that it:
- meets the test of Green Belt openness in the sense of an absence of built development;
 - is spatially open, being seen in all of these views as a pasture field; and
 - is defined mainly by a combination of hedgerows, associated trees and woodland (i.e. countryside features), together with some garden boundaries.

Figure 1: Internal Character of Site (LVIA Photoview 4)



Land-use Context

- 4.3 The land-use context of the site is described in LVIA Section 3.0 and is shown in **Figure 2**. In summary, the site is adjoined as follows:
- To the north-east by a tree management business and nursery (Gristwood & Toms), which includes office and related buildings, parking and service yards, set within a framework of semi-mature tree cover;

- To the south-west by residential properties off Harris Lane and Anderson Road, which form the settlement edge of Shenley;
- To the north-west by Harris Lane, beyond which lies a recreation ground; and
- To the south-east by agricultural fields.

Figure 2: Land-Use Context



- 4.4 The majority (c70%) of the site boundary is adjoined by land that also meets the Green Belt test of openness, i.e. the frontage to Harris Lane/the recreation ground, the agricultural fields and the Gristwood & Toms site. About 30% of this section of the boundary is adjoined by land that is visually open (the lane/recreation ground and the farmland), even though inter-visibility with the site is restricted to varying degrees by hedgerows and associated trees. Whilst the Gristwood & Toms site is partially developed, it retains a predominantly wooded appearance, and is perceived to form part of the countryside rather than the settlement.
- 4.5 About 30% of the site boundary adjoins the settlement edge. Shenley is categorised as a “service village”. Whilst it does not technically comply with the test of

openness, the Green Belt washes over its southern part (including the Conservation Area). This indicates that the size and built-up character of the settlement are insufficient to compromise the strategic purpose of the Green Belt.

Visual Context

4.6 The visual context of the site is described in LVIA Section 4.0, supported by the viewpoint plans and photoviews. Viewing opportunities from each direction may be summarized as follows (with LVIA viewpoint refs):

- North-east: Glimpsed (private) views from the Gristwood & Toms site (14);
- South-west: Glimpsed (private) views from dwellings in Anderson Road/Birchwood, together with framed views from the road itself (15/16);
- South-east: Substantially open views, with screening by hedgerows and associated trees in the middle-ground, from public footpaths 019 (17-21) and 018 (22-25) over distances of 300-600m; and
- North-west: Short-range views from Harris Lane, variously screened by vegetation and dwellings (7-9), together with medium-distance views from the recreation ground (with screening by vegetation in the middle-ground, 10-13).

4.7 The visual influence of the site is restricted by surrounding vegetation and (to the south-west) the built-up area of the village. Of the 19 photoviews from outside the site, the majority (74%) are from PRoWs or open space, and would conventionally be regarded as being of high sensitivity. The remainder are from roads, and therefore of mixed sensitivity (depending on receptor type, mode of travel etc).

Perception of the Site

4.8 The greenfield character of the site is apparent in approximately half of the assessment views. This is perceptible at close range in views through the field gate on Harris Lane (VP7), and over longer distances in the views from PRoWs 18/19 (VPs 17-25). In the latter views, the site is clearly perceived as part of, and of similar character to, the countryside that forms the immediate setting of the village. Whilst the settlement edge is prominent in these views, including the dwellings that

adjoin the site, the transition from built-up area to countryside is abrupt and well-defined. It is clear that the site forms part of the countryside rather than the built-up area (see **Figure 3** below)

Figure 3: Perception of Site as Part of the Countryside viewed from Footpath Shenley 19 (LVIA Photoview 18)



- 4.9 In the remainder of the views, where the land cover within the site is not visible, it is characterised by its absence of built development, in stark contrast with the nearby settlement edge. Viewed from Harris Lane and the recreation ground, the site is perceived as a gap that separates the housing on Harris Lane/Anderson Road from the Gristwood & Toms site. This gap helps to define the settlement edge and permits a degree of inter-visibility between Harris Lane and the countryside to the east, which contributes to the rural setting of the village (see **Figures 4 and 5** below).
- 4.10 This relationship is specifically noted in the Conservation Area Appraisal as follows: *“The close proximity of farmland to the village, and the views into the countryside between gaps in building frontages, between trees and hedges along the lanes, are characteristic features of the conservation area”* [Conservation Area Appraisal 5.5]. The site performs a similar, but more restricted role in views between the dwellings from Anderson Road, in which its hedgerow trees and openness are evident.
- 4.11 In virtually all of the publicly-accessible views, the site is clearly perceived to pass the test of Green Belt openness, either explicitly where its greenfield character is visible, or implicitly due to its absence of built development. In addition, in views from Harris Lane, the recreation ground and the PRowS, the site is seen to form

part of the immediate countryside setting of Shenley, which helps to define the settlement edge and contributes to its character as a village.

Figure 4: Perception of Site as a Gap viewed from Harris Lane (LVIA Photoview 8)



Figure 5: Perception of Site as a Gap viewed from Recreation Ground (LVIA Photoview 10)



Relationship to Published Landscape Character

4.12 The Hertfordshire Landscape Character Assessment (Herts LCA) locates the site within Character Area 21: High Canons Valleys and Ridges. The LVIA considers the overall landscape character of the site to be “fairly typical” of LCA21, but then asserts that it is...*“heavily influenced by the settlement edge which adjoins its south western and north western boundaries”* [LVIA4.22].

4.13 The key characteristics of LCA21 are set out below, with a comment on the degree (high/medium/low) to which I consider the site and surrounding area to be representative of them.

Key Characteristic	Degree of Representativeness
Series of narrow settled ridges of sinuous form	Medium – Shenley is a hilltop village, from which the terrain slopes downwards, as is evident in north-eastward views to/from the site.

Slopes to the south east comprise mainly medium to large arable fields and more open character.	Low to Medium - Whilst the site is not representative, the fields to the north-east are larger and under mixed use, creating a more open character.
Slopes to the west and north east comprise a more intact landscape of small/medium pasture and numerous field oaks.	High - The site is highly representative of this land-use/field type.
Woodland blocks and copses scattered throughout the area, both around houses and more extensively to the west where they combine with mature parkland landscapes at the edge of Shenley Park and Porters Park golf course.	Low to medium - Whilst there are no woodland blocks within the site, the Gristwood & Toms site has a semi-wooded appearance, and woodland blocks are highly characteristic of the countryside to the east.
Prominent built edge to Borehamwood and associated pylons dilute the rural character	Medium to High - Whilst the built-edge of Borehamwood is not apparent, the built-up area of Shenley is locally prominent and partially defines the site. Pylons are visible across the countryside to the east.
Good range and use of local building materials	Medium - Evident in older properties (e.g. use of brick and timber-frame construction).

- 4.14 It would not be surprising if a site of this modest size, particularly in a settlement-edge location, were not particularly representative of the character area. On the contrary, the site forms part of a relatively intact and good quality parcel of countryside that is typical of the character area and contributes positively to the setting of the village. This representativeness has in my view been under-reported in the LVIA.
- 4.15 The LVIA considers the character of the site to be “heavily influenced” by the proximity of the settlement edge, which partly adjoins the site to the south and west, and is prominent in views from Harris Lane, the recreation ground and the PRoWs to the east. Whilst the influence of settlement edges is one of the key characteristics of the character area, it is not necessarily beneficially so, where it competes with the countryside characteristics of the area. This is particularly evident in the views from the PRoWs (see **Figure 3**). Furthermore, the influence of the settlement edge is on the immediate setting of the site, not on its intrinsic character. The latter remains that of a pasture field which is defined predominantly by hedgerows and associated trees, and is of demonstrably similar character to the surrounding countryside.

Landscape Quality, Value and Sensitivity

4.16 The LVIA concludes that “*Overall the Site is assessed as being of medium landscape quality and sensitivity*” [LVIA4.22]. The site is not covered by any landscape designation, is not publicly accessible [LVIA4.23], and the Council does not seek to argue that it forms part of a “valued landscape” in the meaning of NPPF174.

4.17 However, that does not necessarily mean that the site is devoid of value. The foregoing analysis has confirmed that the greenfield and open character of the site contributes to:

- the openness of the Green Belt;
- the character of the countryside;
- the character of Shenley (as a rural village) and its setting;
- the setting of the Conservation Area; and
- the amenity of views from local PRowS and nearby properties.

4.18 As set out in GLVIA3, landscape sensitivity is derived from a combination of value and susceptibility. Whilst I agree with the LVIA that the site is of Medium value, I would put its intrinsic susceptibility to adverse change from the type and scale of development proposed as High, since its land-use, its openness and thereby the contributions cited above would be wholly or largely lost. I therefore consider the overall sensitivity of the site to be Medium to High, and in this I differ from the LVIA.

4.19 My conclusion on sensitivity is consistent with that of the Hertsmere Landscape Sensitivity Assessment, which considered the assessment unit in which the site is located (21c: Shenley Fringe, see Figure 2) to be of Medium-High sensitivity. The downgrading of sensitivity reported in the LVIA is not in my view supported, either by the published evidence base or by assessment in the field.

Contribution to Green Belt Purpose

4.20 The performance of the site against Green Belt purposes (a)-(d) [ref NPPF 138] is set out in LVIA 5.221-27 and may be summarized as follows:

- a) To check the unrestricted sprawl of large built-up areas: Relatively weak contribution;

- b) To prevent neighbouring towns merging into one another: Weak/no contribution;
- c) To assist in safeguarding the countryside from encroachment: Relatively weak contribution; and
- d) To preserve the setting and special character of historic towns: Weak/no contribution.

4.21 Purpose (e), To assist in urban regeneration, by encouraging the recycling of derelict and other urban land, is not considered to be of specific relevance in this case.

4.22 Purposes (a) and (b) relate respectively to the need to check the unrestricted sprawl of large built-up areas and to prevent the coalescence of towns. Since this part of Shenley is a "service village" rather than either a large built-up area or a town, this purpose does not technically apply at a strategic level.

4.23 However, the northern part of Shenley is inset within the Green Belt, and qualifies locally as a large built-up area. Shenley lies within the Green Belt to the north and east of the built-up areas of Borehamwood and Radlett respectively. Unrestricted expansion of the village could therefore erode the countryside gap that separates them. As has been demonstrated earlier in this section, the site helps to maintain both the openness of the Green Belt and the character and appearance of the village and its countryside setting, such that I consider it to make a locally significant contribution to preventing the unrestricted expansion of the village.

4.24 The site forms part of the countryside, to which its greenfield and open character, and its representativeness of the county-level character area, make a positive contribution. Protecting the current use and condition of the site therefore contributes strongly to safeguarding the local countryside from encroachment. I therefore consider the LVIA to have under-stated the site's performance in relation to Purpose (c).

4.25 Since Shenley is not an historic town, I would agree with the LVIA's conclusion in relation to Purpose (d). However, Shenley is an historic village, as demonstrated by the extent of its Conservation Area. Whilst the site is not located within the Conservation Area, it forms part of its immediate countryside setting, as

acknowledged in the Conservation Area Appraisal. I consider the site to make a positive contribution to the setting and historic character of the village.

4.26 To summarize, I consider that, within a local frame of reference, the site makes a limited contribution to Purpose (a), a material contribution to Purpose (b), a significant contribution to Purpose (c), and a material contribution to Purpose (d).

4.27 The Green Belt Assessment Stage 2 Report (Step 4) found that the relevant sub-area (27):

- *"...[meets] the Purposes strongly overall... [performing] moderately against Purpose 2, forming wider parts of the gap between Shenley and Borehamwood, and strongly against Purpose 3, preventing encroachment into areas with an unspoilt, rural character. The sub-areas do not meet Purposes 1 or 4." [Step 4A]; and*
- *"[does not] meet Purpose 1, given [it does] not prevent the outward sprawl of Borehamwood, [performs] moderately against Purpose 2 and strongly against Purpose 3..." [Step 4B] [Stage 2 Report p85]*

4.28 The Report then concludes that *"...as a result of its very small scale, and the role of strong physical features to the north, south and west, which physically enclose the sub-area, a small area in the far north-western part of SA-27 [i.e. the appeal site – my clarification] does not play a fundamental role in relation to the wider Green Belt."* [Stage 2 Report p86]

4.29 The reference to "the wider Green belt" indicates that the report is adopting a strategic frame of reference. However, Green Belts are generally not perceived strategically on the ground, but as a mosaic of local landscapes, each of which is capable of contributing incrementally to the wider purposes. I therefore consider a strictly strategic interpretation of the purposes to be incorrect in this case.

5. Impact of the Proposed Development

- 5.1 Since the proposed scheme is fully described in the Design and Access Statement (DAS) and application drawings, I confine my attention to those features of direct relevance to its impact on Green Belt openness and the character and appearance of the area. For reference, the proposed site layouts are shown in **Figure 6** below.

Figure 6: Proposed Site Layouts



- 5.2 The proposal would transform the site into a development of up to 37 dwellings (to 2.5 storeys high), together with their gardens and access roads, a SuDs basin and landscaped open space (framework planting along the south-eastern boundary and a centrally-located "pocket park"). Whilst the vegetation around the site perimeter would largely be retained, a section of the hedgerow on Harris Lane would need to be removed in order to accommodate the junction for the access road. The two layout options have different urban design characteristics and would relate slightly differently to external views, particularly from the south-east. Their implications for openness and for local character and appearance, however, would not be materially different.
- 5.3 The most obvious impact of the development would be to transform the role of the site from being part of the countryside to part of the extended settlement. The settlement edge would move 60-100m further north, closing the gap between the existing dwellings on Harris Lane and the Gristwood & Toms site. It would also extend eastwards by c40m beyond the existing dwellings at the end of Anderson Road.
- 5.4 The site would acquire a built-up character that would be particularly evident in the close- to medium-range views from Harris Lane and the recreation ground. The openness of the site would be lost, and would decrease further over time as landscaping matures. The retention of open space associated with the SuDs basin, pocket park and landscaped site perimeter would be insufficient to mitigate this loss. The development would extend the built frontage along Harris Lane, removing the potential inter-visibility with the wider countryside and the sense of openness shared with the recreation ground. By extending the settlement into its immediate countryside setting, the development would have an urbanizing effect on the residual character of Shenley as an historic rural village.
- 5.5 From the PRowS to the east, the development would be seen as a further extension of what is already a relatively prominent and unmitigated settlement edge (particularly where it is formed by the 3-storey flats in Birchwood). This would create a strong sense of encroachment into a parcel of countryside that is representative of the High Canons Valleys and Ridges character area, and which, by providing definition to the settlement edge, contributes to the continued perception of Shenley as a rural village rather than a large built-up area such as Borehamwood.

Review of LVIA Effects

- 5.6 Having reviewed the landscape and visual effects reported in the LVIA (see LVIA Appendix J), I would comment as follows:
- i. Direct Effects on Landscape Features (within Site): I agree with the effects relating to trees/hedgerows and public footpaths. I disagree with the effects on the grassland within the site, which I consider to be substantial adverse at Y1 and Y15.
 - ii. Effects on Site Character: As noted previously, I consider the site to be of Medium to High (rather than Medium) sensitivity. Reflecting this, I consider the effect to be Substantial (rather than Moderate) adverse at Y1, and to remain so at Y15. It should also be noted that these effects are direct, rather than indirect.
 - iii. Effects on Townscape Character of Neighbouring Area: I agree with the effects as reported in the LVIA.
 - iv. Effects on Wider Landscape Character: I consider these to be Slight to Moderate (rather than Negligible) adverse at Y1 and Y15. This range reflects the frame of reference, with Moderate effects within the immediate setting of the site (essentially the scope of the views from footpaths 18/19), decreasing to Slight across the remainder of the character area.
 - v. Visual Effects: Whilst I generally agree with the effects as reported in the LVIA, I would assess the effects on the views from Anderson Road as being Slight (rather than Negligible), on the assumption that the roofscape of the development would be visible.
- 5.7 It should be noted that, where the LVIA reports adverse landscape effects at Y1, these would remain adverse at Y15 for all receptors except hedgerows/trees within the site. I agree with this conclusion, since the proposed landscaping cannot mitigate the physical impacts on site character and openness. Whilst it could over time help to assimilate the development into its immediate context, the landscaping is unlikely to outweigh the overall urbanizing effect and would itself contribute to

the loss of openness as it matures. Similarly, in relation to the visual effects I note that the LVIA concludes that the Y1 effects would be overwhelmingly adverse and would remain so at Y15.

Response to Key LVIA Assertions

5.8 Reflecting the above, I would respond as follows to some of the key assertions made in the LVIA:

- i. The site “would create a well contained, small scale extension to Shenley” [LVIA 5.27]: Whilst the boundaries of the site are well-defined and do indeed provide a degree of containment, this would be insufficient to prevent the visual influence of the development from extending beyond its public frontage onto Harris Lane/the recreation ground, and into the medium-distance views from the PRowS to the east. Scale is of course relative, and whilst a development of up to 37 dwellings can be regarded as “small” in relation to a town or large built-up area, I do not consider this description to apply in the context of a village.
- ii. In views from the two PRowS to the east, the development “will read as a continuation of existing properties already visible and will not appear discordant in these views” [LVIA6.5]: I would argue that the development would be seen as an extension of the settlement edge into the countryside (and towards the viewpoints), rather than simply a continuation. The existing settlement edge is relatively prominent in these views, and strikes in part a discordant note where the properties are of larger scale and benefit from little screening. Whilst the development is by definition consistent with this built-up character, it has the potential to exacerbate the urbanizing influence on these views, to the detriment of their countryside context.
- iii. The site “is capable of accommodating development...without resulting in material harm to the surrounding countryside’s landscape and visual character”[LVIA6.7]: The development would harm the character of the countryside of which it forms part by physically encroaching into it, and by exacerbating the influence of the settlement edge on local views. In my view, harm alone (irrespective of its degree) should be regarded as a material

consideration when evaluating the proposal against the relevant policy tests intended to protect countryside character. In addition, countryside character represents only one side of the equation, since harm would also be caused to the scale and setting of Shenley as a rural village.

Implications for Green Belt Purposes

- 5.9 The development would by definition result in the loss of Green Belt openness, due to the urbanization of a currently greenfield site. It would also remove a parcel of countryside that is demonstrably representative of the area, and which contributes to the setting of the village and its Conservation Area, and to the amenity of local views, notably those from Harris Lane, the recreation ground and the two PRowS.
- 5.10 The development would therefore explicitly undermine Green Belt Purpose (c) relating to the protection of countryside from urban encroachment.
- 5.11 As noted previously, Green Belt purposes (a), (b) and (d) do not technically apply at a strategic level in this case. However, at a local level – which I consider to be the most appropriate frame of reference - the development would undermine the aim of checking unrestricted development (Purpose (a)) and of preserving the setting and special character of the historic village, as represented by its Conservation Area (Purpose (d)).

6. Summary and Conclusion

- 6.1 The appeal site comprises greenfield land that is identifiable as a pasture field defined largely by its original hedgerow boundaries and associated trees. Whilst it is partly adjoined by the settlement edge, this amounts to only c30% of the site boundary, the remainder of which adjoins predominantly open or wooded land.
- 6.2 The site relates physically, topographically and visually to the countryside to the east, of which it is perceived to form part in views from the nearest PRoWs. This countryside is representative of the county-level character area, forms the setting of the settlement, and contributes to its identity as a rural village. Although the settlement edge is relatively prominent, the site clearly contrasts with, and helps to define, it.
- 6.3 The existing use of the site maintains its openness for Green Belt purposes. As a result, the site contributes strongly to purpose (c) in relation to the protection of the countryside, and makes a material contribution to purpose (a) in relation to the prevention of urban sprawl. The site falls within the setting of the Conservation Area, and therefore also makes a material contribution to purpose (d) in relation to the historic character of the village.
- 6.4 The proposed development would transform the character of the site from being part of the countryside to part of the settlement. Its openness would be lost and its contribution to the purpose of the Green Belt would be compromised. The urbanizing influence of the development would harm the character and appearance of the locality, the countryside setting of the village and the amenity of local views.
- 6.5 These harms would be contrary to the following policy tests:
- i. The “fundamental aim” of national Green Belt policy, which is to keep Green Belt land permanently open (NPPF137);
 - ii. The Green Belt purposes set out in NPPF138;
 - iii. The need to recognise the intrinsic character and beauty of the countryside as per NPPF174(b);

- iv. The avoidance of inappropriate development in the Green Belt as set out in Core Strategy policies SP1(vii) and CS13;
- v. The presumption in favour of sustainable development set out in Core Strategy policy SP2;
- vi. The need to conserve and enhance the landscape character of the borough as per Core Strategy policy CS12; and
- vii. The need for development to be compatible with its landscape setting and to avoid harm to the openness of the Green Belt, as per Site Allocations and Development Management Plan (SA+DMP) policy SADM26(iv).

6.6 In view of the development's substantial degree of conflict with policy relating to Green Belt openness and landscape character/appearance, I consider that the Council were justified in refusing the application. Unless outweighed by other considerations, I would therefore respectfully suggest that the appeal be dismissed on this basis.