



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

**PINS ref APP/N1920/W/23/3314268  
LPA ref: 22/1071/OUT**

**Appeal by**

**Redrow Homes Ltd**

**in relation to**

**LAND AT LITTLE BUSHEY LANE, BUSHEY,  
HERTFORDSHIRE**

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

**prepared by**

**Peter Radmall, M.A., B.Phil, CMLI**

**on behalf of**

**Hertsmere Council**

**April 2023**

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# 1. Introduction

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 and paragraph 174 (CD E1);
- Hertsmere Green Belt Assessment Stage 2 (CD G8);
- Hertsmere Landscape Sensitivity to Residential and Employment Development, LUC, September 2020) (CD G5);
- Hertfordshire Landscape Character Assessment (CD K2);
- Landscape and Visual Impact Assessment (LVIA, CD A14);
- Arboricultural Impact Assessment (CD A12); and
- Design and Access Statement (CD A4);
- Indicative Masterplan (CD B15); and
- Storey Heights Parameter Plan (CD D5).

1.5 The development to which this appeal relates is described as follows:

*22/1071/OUT - Land East Of Little Bushey Lane And North Of The Squirrels Little Bushey Lane Bushey Hertfordshire: Application for residential development (up to 310 units) with access from Little Bushey Lane, and land reserved for primary school, community facilities and mobility hub (Class E) along with car parking, drainage and earthworks to facilitate drainage, open space and all ancillary and*

*enabling works. (Outline Application with Appearance, Landscaping, Layout and Scale Reserved).*

1.6 The appeal has been lodged against non-determination. On 23<sup>rd</sup> February 2023, the Council resolved that it would have refused the application on the basis of three putative reasons. Reason 01 deals with the inappropriateness of the proposed development in relation to its Green Belt location. Whilst this Reason is addressed primarily in the evidence of Ms O'Brien, the Reason refers to "*the significant harm to openness that would arise*", and this aspect is addressed in my evidence.

1.7 I also address Reason 02, which is as follows:

*The proposed development is considered to result in harm to the character and appearance of the landscape; in particular, due to the visual impact of the development on existing open views with rural aspect from Little Bushey Lane and nearby Public Rights of Way, including those that cross through the application site (PRoW Bushey 033 and 040). In particular, views through and within the site from PRoW 040 would become enclosed and constrained by built form. Therefore, the proposed development is considered to be contrary to the NPPF (2021), Policy CS12 of the Hertsmere Core Strategy (2013) and Policy SADM11 of the Site Allocations and Development Management Policies Plan (2016).*

1.8 A Landscape Statement of Common Ground is in the course of agreement with the appellant's witness. This identifies the main areas of agreement and disagreement between us, and has helped to define the scope of my evidence. Whilst it is agreed that the LVIA broadly conforms with prevailing practice, as set out in GLVIA3, we differ on several aspects of the baseline conditions and predicted effects, and on how these relate to the relevant policy tests. In order to facilitate comparison, in carrying out my own assessment I have sought to adopt the terminology used in the LVIA.

## 2. The Nature of Openness

- 2.1 In view of the explicit reference to openness in the Reason 01, 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.
- 2.2 Openness is one of the “essential characteristics” of the Green Belt [NPPF137]. It is not defined – for example, in the Planning Portal glossary. However, development that involves “*the construction of new buildings*” in the Green Belt is regarded as “inappropriate” (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”.
- 2.3 Relativity is important, since very few parts of the Green Belt are entirely devoid of buildings. Whilst there are no buildings within the appeal site, this part of the Green Belt includes agricultural and/or equestrian facilities such as Hart’s Farm, which adjoins the site to the west, together with educational establishments such as Immanuel College, to the south-east.
- 2.4 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.
- 2.5 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. This is very apparent as one moves away from the appeal site through the built-up area, the density of which substantially constrains opportunities for outward views.
- 2.6 Openness therefore encompasses both spatial aspects (i.e. whether land is devoid of buildings as a matter of fact) and visual aspects (i.e. how readily this openness can be perceived). The relationship between visual openness and enclosure is one

of the key determinants of landscape character, and a preponderance of openness is typically one of the fundamental attributes of rural landscapes – as reflected by use of the term “open countryside”. As a result, the introduction of built development will inevitably have implications for local character and appearance in relation both to spatial quality and to the relationship between urban and rural influences.

- 2.7 This approach is consistent with the advice set out in the Planning Practice Guidance [Paragraph 001, Ref ID:64-001-20190722], which states that: “*openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume*”, and goes on to refer to the permanence of development and the degree of activity it is likely to generate.
- 2.8 It should also 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 countryside<sup>1</sup>.

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

### 3. Character and Role of the Site

#### Intrinsic Character of the Site and its Setting

3.1 The appeal site is described in LVIA Section 5.0, supported by the site appraisal photographs. Its key features may be summarized as follows:

- i. c18hectares of agricultural land divided into pastoral fields grazed by horses;
- ii. field boundaries formed by mature native hedgerows and associated trees, together with timber post-and-rail fencing;
- iii. several notable individual mature trees, especially oaks, including dead and fallen specimens;
- iv. undulating terrain, falling from high points of 100-105m AOD on the southern and western boundaries, to c88m AOD along a stream that crosses the northern part of the site; and
- v. a high-voltage power line crosses the site north/south, with two pylons located within it.

3.2 Two PRowS (033 and 040) cross the site, starting from its western boundary on Little Bushey Lane. 033 crosses two adjoining fields towards the M1, which is crossed via the A41, to access routes into the wider countryside to the north. 040 runs eastwards across the site, before crossing the M1 on a footbridge to access the A41 and Hilfield Lane.

3.3 The site and its setting are shown in **Figure 1**. The site is adjoined as follows:

- i. To the north, by a pasture field and residual land within the well-vegetated M1 corridor;
- ii. To the south, partly by Little Bushey Lane, to which the site provides a frontage of hedgerow and associated trees, and partly by the curtilage of properties on Little Bushey Lane, The Squirrels and Wayside Avenue;

- iii. To the east, by rising open land of more wooded character, used for a combination of horse grazing, contractor's compound and the grounds of Immanuel College; and
- iv. To the west, by Hart's Farm (stables), and two pasture fields, overlooked by recent residential development off Rossway Drive.

**Figure 1: The Site and its Setting**



3.4 Approximately one third of the site perimeter is adjoined by the settlement edge (including the frontage to Little Bushey Lane). A further c7% is adjoined by Hart's Farm, which is readily identifiable as an equestrian business. The remaining c60% is adjoined by open land, much of which is of similar character and use to the appeal site.



- 3.5 Despite forming a modest proportion of the site boundary, and/or being separated from it by open land, the settlement edge of Bushey is widely visible from the site and exerts a substantial influence on its setting. So too does the proximity of the M1, which, whilst largely screened by its cutting and associated vegetation, is audible across the site (depending on wind direction).
- 3.6 This contrast - between the intrinsically open and rural character of the site, and the built-up character of its setting to the south and west - is apparent from the LVIA site appraisal photos, which I reproduce in **Figures 2 and 3** below.

**Figure 2: Site Appraisal Photos (1)**



- 3.7 These photos demonstrate that the site:
- i. meets the test of Green Belt openness in the sense of its absence of built development;
  - ii. is spatially open, being seen in all of the views as a series of pasture fields, with localised enclosure provided by occasional mature trees and sections of hedgerow;
  - iii. appears to be defined mainly by vegetated boundaries;

- iv. comprises predominantly countryside features (open fields, grazing animals, natural terrain, hedgerows, mature trees and post-and-rail fencing); and
- v. provides a clear contrast with the adjoining or nearby settlement edge, the visual influence of which is determinative only at relatively close range.

**Figure 3: Site Appraisal Photos (2)**



### Perception of the Site

- 3.8 The site is clearly perceived as forming a parcel of countryside, and is adjoined mainly by land of similar use and character that reinforces this impression. Its rural appearance is evident in views from the surrounding area, notably from Little Bushey Lane (see **Figures 4 and 5** below) and from the M1 footbridge (**Figure 6** below). Even where its greenfield character may not be visible, the site is identifiable by its absence of built development.
- 3.9 The openness of the site is a prevailing characteristic that is appreciated from the two PRoWs within and approaching it, and contributes to their amenity. Even where the settlement edge is prominent, this openness retains a rural character to the fore- and middle-ground of these views.

**Figure 4: Perception of Site from Little Bushey Lane (1) [LVIA Photo 3]**



**Figure 5: Perception of Site from Little Bushey Lane (2) [LVIA Photo 4]**



**Figure 6: Perception of Site from M1 Footbridge [LVIA Photo 21]**



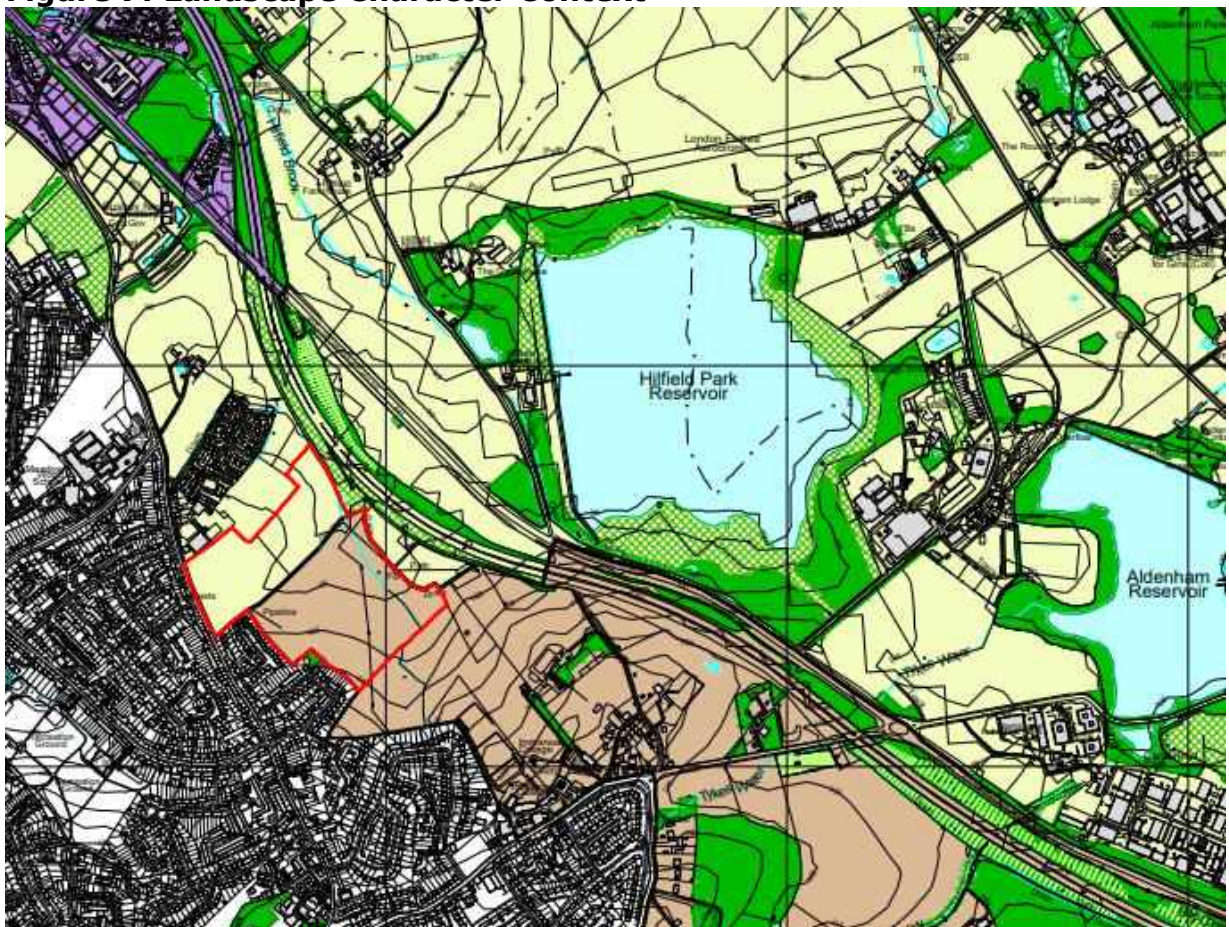
3.10 It also provides a sequence of middle- and longer-distance views to the more elevated countryside beyond the M1 and to surrounding landmarks such as Immanuel College (to the south-east), Bushey Parish Church (to the south) and Hilfield Castle (to the north). The amenity value of most of these views is compromised to varying degrees by the intrusive influence of the pylons, the settlement edge and the M1. Nevertheless, the inter-visibility with these landmarks and with the wider countryside helps to anchor the site within a meaningful setting.

## 4. Landscape Character Context

### Relationship to Countywide LCA

- 4.1 The Hertfordshire Landscape Character Assessment (Herts LCA) locates the site within two character areas. The western third of the site falls within LCA 22: Borehamwood Plateau, and the eastern two-thirds within Character Area 23: Elstree Ridge and Slopes – see **Figure 7** below, in which the yellow shading denotes LCA22 and the brown shading LCA23.

**Figure 7: Landscape Character Context**



- 4.2 The following points should be noted:
- i. The western part of the site is adjoined to the west by land also falling within LCA22;
  - ii. The eastern part of the site is adjoined to the east by land also falling within LCA23, and to the north by land falling within LCA22;

- iii. The wider setting of the site is formed to the north, on rising ground beyond Hilfield Brook, by other parts of LCA 22;
- iv. The wider setting of the site is formed to the east by other parts of LCA23, on the slopes of Caldecote Hill;
- v. The built-up area to the south and west is excluded from the countywide character areas; and
- vi. The M1 corridor forms a distinctive sub-unit in its own right, characterised by highway infrastructure and extensive belts of scrub and tree cover, which provides physical, and a degree of visual, severance between the site and the wider countryside to the north.

4.3 The key characteristics of LCA22 and LCA23 are set out in **Table 1** and **Table 2** below, with a comment on the degree (high/medium/low) to which I consider the site and surrounding area to be representative of them.

**Table 1: Representativeness of LCA22**

Key Characteristic	Degree of Representativeness
Gently undulating landform	High – Site is gently undulating, as are the built-up area to the south and the countryside to the north.
Pasture is dominant land-use, with arable secondary	High – Site is in pastoral use, as is most of the surrounding open land.
A number of private schools set in mature landscaped grounds	Medium – Immanuel College is the nearest example, and is inter-visible with the site
Aldenham Park historic parkland with woodland and perimeter belts	Medium – Whilst inter-visibility is limited, the parkland contributes to the wooded character of the valley beyond the M1.
Two large reservoirs, i.e. Aldenham and Hilfield	Low – Whilst these are prominent features on the mapping, a combination of vegetation, landform and orientation prevent their inter-visibility with the site
Aldenham Country Park	Low – Whilst inter-visibility is very limited, this contributes to the wooded character of the countryside to the north.
Fragmentation and disruption by the M1/A41 corridor, including pylons and associated built development	High – The M1 is a significant influence on the immediate visual (and aural) setting of the site, which is also crossed by the power line.

**Table 2: Representativeness of LCA23**

Key Characteristic	Degree of Representativeness
Prominent ridgeline that runs east/west	Medium – Site is located on the north-western slopes of this ridge.
Built development to much of the ridge	High – The built-up area of Bushey forms a developed skyline to the south-east
Wooded and treed skyline	Medium – Apparent (intermixed with development) to the east.
Considerable equestrian pasture	High – Dominant land-use within site and on adjoining land.
Attractive views to north over Borehamwood Plateau	High – Such views are obtained from the site (but with pylons and the M1 in the middle-ground).
Increasing impact of horse grazing and golf courses	Medium – Whilst horse grazing is characteristic of the site, no golf courses are visible in the vicinity.
Deterioration of many hedges and hedgerow trees	High – Evident within site, including unmanaged hedgerows and dead trees.
M1/A41 corridor creates major impact	High – M1 in particular exerts a significant visual and aural influence.

- 4.4 This analysis indicates that the site and local area possess a medium degree of representativeness of LCA22 and a medium to high degree of representativeness of LCA23. The site therefore contributes locally to the attributes of the published character assessment.
- 4.5 This representativeness applies to negative as well as positive attributes, particularly in relation to the influence of the M1, the pylons and the built-up area. In addition, the deterioration of landscape fabric characteristic of LCA23 is evident within the site, together with overgrazing by horses, which is often found in settlement edge locations. The landscape condition of the site is considered to be poor to moderate, which is consistent with the LCA assessment, with its management recommendation to “improve and restore” (LCA22) or “conserve and restore” (LCA23).
- 4.6 However, the condition of the site could be restored through a range of interventions, including replanting and proper maintenance of hedgerows, planting of specimen trees, reduced grazing densities and improved field drainage. It should also be noted that the currently degraded condition of a landscape should not necessarily be used to devalue its potential contribution to character and appearance. TGN02/21 advises that “*Deliberately neglecting an area of landscape*

and allowing its condition to deteriorate should not be allowed to diminish its value in a planning context” [TGN02/21 2.4.5, bullet 4].

4.7 The LVIA states that “the site is located within a settlement edge/peri-urban area of Bushey” [LVIA 2.2]. Whilst this correctly describes the site’s location, partially adjoining the settlement edge, it fails to acknowledge that the greater proportion of the site boundary adjoins open, rural land. The settlement edge is acknowledged to be an important influence on the setting of the site, the use and condition of which are also typical of the urban fringe. However, the intrinsic appearance of the site remains that of countryside, and its physical and visual links with the surrounding landscape (as opposed to townscape) remain equally important, particularly in the context of the published LCA.

### Landscape Receptors and Sensitivity

4.8 As set out in GLVIA3, landscape sensitivity is derived from a combination of value and susceptibility. The landscape receptors and their sensitivity, as identified in the LVIA, are set out in **Table 3** below.

**Table 3: Landscape Receptors and Sensitivity as Reported in LVIA**

Receptor	Value	Susceptibility	Sensitivity
Receptors within Site			
Open fields	Low	High	Medium
Native hedgerow	Medium	Low	Medium-Low
Hedgerow trees	Medium	Medium	Medium
Individual field trees	High	Low	Medium
Watercourse/stream	Low	Low	Low
Landform	Medium	Low	Medium-Low
Site + immediate setting	Low	Medium-Low	Low
LCA22	Low	Low	Low
LCA23	Low	Low	Low

4.9 In relation to the landscape receptors within the site, I would comment as follows:

- i. Open fields: I agree that they are highly susceptible to the type of change proposed, but consider them to be of medium (rather than low) value, because of their contribution to local character (as one of the key characteristics of the LCA), giving rise to a medium-high level of sensitivity.

- ii. Native hedgerow: I agree that they are of medium value, but also consider their susceptibility to be medium (rather than low), because of the risk that visible breaches in the hedgerow pattern may be necessary, giving rise to a medium level of sensitivity.
- iii. Hedgerow trees: I agree that they are of medium susceptibility, but consider their value to be high, because of their visibility and their role in complementing the hedgerow pattern, giving rise to a medium-high level of sensitivity.
- iv. Individual field trees: I agree that they are of high value, but consider their susceptibility to be medium (rather than low), because of risks of disturbance, hydrological changes and reduced visibility, giving rise to a medium-high level of sensitivity.
- v. Watercourse/stream: I consider their value and susceptibility to be medium (rather than low), giving rise to a medium level of sensitivity.
- vi. Landform: I agree with its medium value, but consider its susceptibility to be high, due to the engineering changes likely to be required to accommodate access and built development, giving rise to a medium-high level of sensitivity.

4.10 In relation to the site and its immediate setting, I consider that to conflate the sensitivity of them fails to recognise the fundamental differences in character between the site and the developed part of its setting. Drawing on the sensitivity of the receptors within the site, I would assess its overall sensitivity as medium to high. This compares to the medium-low to medium assessment made in the LVIA.

4.11 Distinguishing between the different sub-units within the immediate setting of the site, I would assess the sensitivity of the built-up area and the M1 corridor as low, and of the open land adjoining the site as medium. Whilst I consider the LVIA's assessment of low sensitivity to be applicable to the built-up area and the M1 corridor, I do not believe it to apply overall to the site and its setting.

4.12 In relation to the two character areas, these also encompass considerable variations in value and susceptibility, ranging from highly sensitive sub-units such as



Aldenham Park to “insensitive” features such as the M1 corridor. I therefore consider a uniformly low sensitivity, as reported in the LVIA, to be incorrect, and would consider both character areas to be of medium sensitivity overall.

- 4.13 My conclusion on sensitivity is broadly consistent with that of the Hertsmere Landscape Sensitivity Assessment [CD G5], which considered the assessment units in which the site is located (22c: Bushey Fringe and 23c Elstree Ridge and Slopes) to be of “Moderate” sensitivity to medium-density residential development (ref Outline Landscape Appraisals, Chapter 2, Site 4). Sensitivity was considered to increase to moderate/high and high for higher density residential development and large-scale commercial development respectively; no part of the area was regarded as being of low sensitivity.
- 4.14 Amongst the “sensitive features” identified in the Sensitivity Assessment, three are specifically applicable to the site: “*Public rights-of-way which provide access to, and enjoyment of, the countryside around Bushey*”, [the] “*rural setting the area provides to Bushey*”, and “*visually prominent open slopes to the south-west of the motorway*”. 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.

## 5. Contribution to Green Belt Purpose

### Relationship to Local Green Belt

- 5.1 The relationship of the site to the surrounding Green Belt is shown in **Figure 8** below. As can be seen, the site forms part of a broad belt of countryside and open land that separates the built-up area of Bushey from Radlett, c1.5km to the north; Borehamwood, c2km to the north-east; and Elstree, c1.25km to the east.

**Figure 8: Relationship to Green Belt**



- 5.2 The site amounts to:

- i. c17% of the width of the gap between Bushey and Radlett;
- ii. c13% of the width of the gap between Bushey and Borehamwood; and

iii. c22% of the width of the gap between Bushey and Elstree (widths are measured from the settlement edge adjoining the site).

5.3 Whilst these proportions are modest, and do not suggest that development of the site would compromise the strategic purpose of the Green Belt in a spatial sense, they are not immaterial. In addition, the site's proximity to the settlement edge is such that it provides the first line of defence in preventing further encroachment by the built-up area of Bushey into these gaps.

5.4 The LVIA "broadly agrees" with the Hertsmere Green Belt Assessment [LVIA 8.8], the findings of which are set out at LVIA 8.6-7. The Green Belt Assessment (GBA) locates the site within sub-area 57, which comprises a swathe of land between the settlement edge of Bushey and the M1 corridor. The GBA evaluates the performance of this sub-area against the four Green Belt purposes (a)-(d) [ref NPPF 138] as follows:

- a) To check the unrestricted sprawl of large built-up areas: Not applicable, since *"the site is not at the edge of a distinct large built-up area"*;
- b) To prevent neighbouring towns merging into one another: Moderately, as the site [forms] *"part of the wider gap between Bushey Heath/Bushey Village and Elstree"*;
- c) To assist in safeguarding the countryside from encroachment: Weakly, *"as a result of existing built form, urbanising influences of the M1 and direct visual links to Bushey Heath/Bushey Village, contributing to a semi-urban character"*; and
- d) To preserve the setting and special character of historic towns: Not applicable, since Bushey is not an historic town.

5.5 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, since there is insufficient urban land to meet the projected housing and employment requirements within the district.

5.6 I would comment on the conclusions of the GBA in relation to the purposes as follows:

- (a) I disagree that Bushey is not a large built-up area. Within a local frame of reference, this is certainly how it is perceived on the map and as you drive through it. Whilst its village core is still perceptible, this has been outgrown by the extensive 20thC residential development that gives it a largely suburban character. I therefore consider this purpose to apply, and that the site makes a substantial contribution to it locally, because of its role in defining and containing the settlement edge.
- (b) I agree that the sub-area (and appeal site) performs moderately against this purpose, in view of their relationship to the gaps between Bushey and surrounding settlements.
- (c) I agree with the GBA's description of the sub-area as possessing a "semi-urban character" overall. However, this applies – as I have explained in Section 3 – to the setting of the site, not to its intrinsic character, which remains that of a parcel of countryside (albeit influenced by its settlement edge location). I therefore disagree that the site performs weakly against this purpose. Whilst its countryside attributes are compromised to varying degrees by poor management, a deteriorating landscape fabric, and the proximity of the settlement edge and the M1, these attributes remain demonstrably evident, and therefore in my view enable it to make a moderate contribution to this purpose.
- (d) I agree with the GBA that this purpose does not apply, since Bushey is not an historic town, and the site does not help to maintain a countryside setting to its historic village core.

5.7 In summary, I agree with the GBA in relation to the performance of the sub-area (and of the site) in relation to two of the purposes – (b) and (d). However, as might be expected when considering a specific site within its local context, I disagree with the GBA in relation to the performance of the site in relation to purposes (a) and (c). Bushey is perceived locally to be a large built-up area, and the settlement-edge location of the site allows its retention to prevent further expansion of this

area to the north-east. The intrinsic character of the site as part of the countryside – albeit compromised to a degree by its proximity to the settlement edge – enables it to contribute to protection of that countryside from urban encroachment.

5.8 The GBA makes several references to the “wider” or “wider strategic” Green Belt. It is acknowledged that the function of the Green Belt is inherently strategic in its origin and scope. However, the Green Belt is generally not perceived strategically in any one location, but as a mosaic of local landscapes, each of which is capable of contributing incrementally to the wider purposes. I therefore consider a local – rather than strategic - frame of reference to be the correct context for assessing the site’s contribution to the purposes in this case.

## 6. Impact of the Proposed Development

### Key Features

- 6.1 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 masterplan is shown in **Figure 9** below.

**Figure 9: Proposed Masterplan**



- 6.2 The proposal would transform the site into a development of up to 310 dwellings, together with a potential primary school, community facilities/mobility hub, roads (accessed from a new junction on Little Bushey Lane), SuDs features and landscaped open space. The breakdown of uses, as set out on DAS p34, would be as follows:

Use	Area (ha)	% Site
Residential development area	7.84	43%
Potential primary school	2.15	12%
Community facilities/mobility hub	0.12	0.7%

Streets/infrastructure	0.24	1.3%
Public open space/landscape planting	7.84	43%

6.3 Based on the above, the majority (c56%) of the site would be occupied by built development. Almost all of this area would comprise buildings and their curtilage (including gardens), and would thereby lose any sense of its current openness (with the possible exception of the primary school site, depending on how built-up it becomes). Whilst the buildings would be predominantly 2-storey, substantial areas of 2.5 storeys are proposed along the frontage to Little Bushey Lane, the western section of the main access road and the eastward-facing frontages to the open space. The community facilities/mobility hub building would be up to 3 storeys. The proposed arrangement of storey heights is shown in **Figure 10** below.

**Figure 10: Proposed Storey Heights**



6.4 The strategy for the 43% of the site to be retained/enhanced as green infrastructure is shown in **Figure 11** below and would comprise the following landscape typologies:

1. Entrance Green along the frontages to Little Bushey Lane and Hart's Farm, including open spaces adjoining the main access road;
2. Green Links through and around the developed area, including retained/reinforced hedgerows;
3. South-Western Green Edge, with retained/enhanced hedgerow/trees;
4. Parkland Edge around eastern residential parcel;
5. Parkland Slope of semi-natural character on valley slope;
6. Riparian Parkland of wetland and wet woodland along naturalised watercourse;
7. Northern Green Edge of meadow, structural landscaping and SuDs feature; and
8. Wooded Edge along north-eastern boundary.

#### Impact on Perceived Character of Site and its Setting

6.5 The most obvious impact of the development is that the majority of the site would effectively become an extension to the built-up area. The open and rural character of this part of the site would be lost, and its natural terrain either modified or masked. Even where countryside features such as hedgerows may be retained/enhanced, and still recognisable as such, they would become embedded within the built-up area and their visual influence much reduced.

6.6 Within the part of the site to be retained as green space, the pattern of open fields would no longer be discernible, replaced by a new landscape structure that reflects its change of use for amenity and biodiversity purposes. Here again, openness would be reduced over time by the introduction of woodland and parkland trees, with open areas confined to wildflower meadows, amenity grassland and SuDs basins. The visibly designed character of this green space, together with the



introduction of features such as walking trails, board walks, seating and play areas would exert a suburbanizing influence.

**Figure 11: Landscape Strategy**



- 6.7 The development would extend the settlement edge c300-400m northwards from its existing location along Little Bushey Lane, creating a promontory of development that partly replicates the recently completed residential scheme off Rossway Drive to the north. As a result, the open land to the north-west of the site would be reduced to a single field in width, and the settlement edge would be seen to reach almost as far as the M1 corridor.
- 6.8 This is acknowledged in the LVIA, which considers that *“the Green belt boundary for Bushey...could logically be redrawn to exclude the site from the Green Belt, and that a robust new Green Belt boundary would readily be established using the M1 transport corridor...which forms a distinct interface between the wider landscape to*

*the north-east and the site and existing settlement to the west and south-west*" [LVIA 8.9]. The M1 corridor is indeed perceived as a distinctive linear feature through the landscape. However, this section of the M1 is mainly in cutting, and is well-screened by established vegetation, such that it is generally visible only at close range – it is not, for example, obviously visible in any of the site appraisal photographs.

6.9 The character map (**Figure 7**) shows that, in the immediate vicinity of the site, LCA22 (which predominates to the north of the M1) extends to the south to include the western part of the site and the adjoining fields to the west and north. This continuity in character is reinforced by the degree of inter-visibility that is retained across the M1 between the appeal site and the countryside to the north. The role of the motorway in separating the site/built-up area from the wider landscape to the north should not therefore be over-stated. What is clear on the ground is that the settlement edge already forms a "distinct interface" between the built-up area and the adjoining belt of modified, but predominantly open and rural Green Belt land of which the site forms part.

## 7. Review of Landscape Effects

### Summary of LVIA Effects

7.1 The landscape effects are set out in LVIA Appendix A.3. For ease of comparison, I have summarized these in Table 4 below. I then comment on these effects, taking account of my judgements on sensitivity in Section 4.

**Table 4: Summary of Landscape Effects from LVIA**

Receptor	Year 1		Year 15	
	Magnitude of Change	Significance of Effect	Magnitude of Change	Significance of Effect
Open fields	Medium	Moderate adverse	Small	Minor adverse
Native hedgerow	Very small	Minor beneficial	Small	Minor beneficial
Hedgerow trees	Very small	Negligible beneficial	Small	Minor beneficial
Individual field trees	Very small	Negligible beneficial	Small	Minor beneficial
Watercourse/Stream	Very small	Negligible beneficial	Small	Minor beneficial
Landform	Very small	Negligible adverse	Very small	Negligible adverse
Site and immediate setting	Large/ Medium	Moderate adverse	Small adverse	Minor adverse
LCA22 and LCA23	Small	Minor/ Negligible adverse	Neutral	Neutral

### Landscape Receptors within Site

#### Open Fields

7.2 I disagree with the LVIA assessment of “very small” change at Year 1, becoming “small” by Year 15. Any perception of openness would be wholly lost from within the development parcels (except perhaps for the primary school site, depending on how much of it is built-up), and substantially lost from the areas of green infrastructure. Even where hedgerows would be retained (and reinforced), these

would be embedded within or screened by built development to varying degrees, and would therefore cease to be perceived as a legible field pattern. As a result, I consider the magnitude of change at Year 1 to be “large”, and that this would remain so at Year 15 (since openness would be further reduced as landscaping matures). The resulting effect would therefore be Major adverse at Year 1, and would remain so at Year 15.

#### Native Hedgerow/Trees/Field Trees

- 7.3 The Arboricultural Impact Assessment [AIA, Aspect Arboriculture, June 2022] indicates that the development would require the removal of 6 English oaks, one lapsed internal field boundary group and one scrub group [AIA 4.1.2]. This amounts to 8% of the “trees of individual distinction” and 6% of the tree groups within the site. I therefore agree that the magnitude of physical change to these receptors at Year 1 would be “very small”, becoming “small” (and beneficial) by Year 15.
- 7.4 Whilst I agree with the LVIA assessment of Minor and Negligible effects on hedgerows and trees respectively, I consider these to be adverse (rather than beneficial) at Year 1, since the mitigation provided by new planting would be scarcely perceptible at that time. I also agree that the effect on these receptors would be Minor beneficial by Y15, but would point out that this relates primarily to their physical condition and extent – these features would to varying degrees be embedded within/screened by built development, and their visible role as countryside features would therefore be diminished.

#### Watercourses/Stream

- 7.5 The main watercourse through the site would be retained and enhanced as the centrepiece of a “riparian parkland” corridor. I agree with the magnitudes of change and effects as reported in the LVIA, with the exception that I consider the Year 1 effect to be neutral rather than beneficial.

#### Landform

- 7.6 I disagree with the LVIA assessment of a “very small” change at Years 1 and 5. The site has an undulating landform that is representative of the character areas. It would be subject to extensive modification in order to create access and building plots, and would be largely masked by built development and landscaping. I

therefore consider the magnitude of change to be medium/large, which in combination with medium/high sensitivity gives rise to moderate to major adverse effects at Years 1 and 15.

### The Site and its Immediate Setting

- 7.7 I consider that the sensitivity and impacts on the site and its immediate setting to be sufficiently different for these receptors to be treated separately for assessment purposes. In my judgement, the magnitude of change to the site would be “large” at Year 1, which in combination with a medium to high sensitivity would give rise to a major adverse effect, decreasing to moderate adverse by Year 15. This contrasts with the moderate adverse and minor adverse effects reported in the LVIA.
- 7.8 In relation to the immediate setting of the site, I consider the effects on its main components to be as follows:
- i. Open fields: Medium change x medium sensitivity = Moderate adverse effect at Year 1, becoming minor adverse by Year 15;
  - ii. Settlement edge/built-up area: Medium change x low sensitivity = Minor adverse effect at Year 1, becoming negligible adverse by Year 15; and
  - iii. M1 corridor: Small change x low sensitivity = Negligible adverse effects at Years 1 and 15.
- 7.9 I therefore disagree with the LVIA assessment of moderate adverse and minor adverse effects on the site and its immediate setting at Year 1 and 15 respectively, and consider that my assessment of major adverse to moderate adverse effects on the site itself, and moderate adverse (for the adjoining open fields at Year 1) to negligible adverse (for the settlement edge and M1 corridor at Year 15) to be more accurate.

### Character Areas 22/23

- 7.10 I consider the magnitude of change to both character areas to be “small” at Year 1, giving rise to Minor adverse effects, which is broadly consistent with the LVIA. However, I judge the magnitude of change at Year 15 to remain “very small” (rather than the “neutral” reported in the LVIA), such that the residual effects would be

Negligible adverse rather than Neutral. The effect of the development would be to remove or diminish representative features such as pastoral land-use, field pattern and undulating topography. By incorporating most of the site into an extended built-up area, it would thereby cease to form part of these character areas.

- 7.11 In summary, I consider the LVIA to have under-reported the effects on the open fields and landform within the site, the site as a whole, the undeveloped parts of its setting, and the countywide character areas into which it falls. I also consider the net residual effects on these receptors to remain adverse, since the enhancements that could be achieved by the proposed landscape strategy would in my view be insufficient to outweigh the harmful effects of urban encroachment into a parcel of modified, but still recognisable countryside.

### Implications for Green Belt Purposes

- 7.12 The development would by definition result in the loss of Green Belt openness from the part of the site (c56%) to be occupied by built development. There would also be a substantial loss of visual openness from the remainder of the site, due to the obstruction of views by the buildings and (over time) as the landscaping matures. As will be described in Section 8, the reduction in visual openness by the built development will extend to views from the settlement edge and adjoining areas of open land, accentuated by the substantial proportion of taller (2.5+ storeys) that is proposed.
- 7.13 The development would displace a parcel of countryside that currently helps to define the settlement edge, including characteristics that are demonstrably representative of the published character areas, notably pastoral land-use, field pattern and undulating landform. It would amount to, and be perceived as, a physical extension of the settlement, that would in particular encroach into the green gap that currently separates Bushey from Elstree.
- 7.14 I would therefore assess the development's implications for the Green Belt purposes, as perceived locally, as follows:
- a) To check the unrestricted sprawl of large built-up areas: Significant;

- b) To prevent neighbouring towns merging into one another: Material, since the development would encroach into c17% of the gap between Bushey and Elstree;
- c) To assist in safeguarding the countryside from encroachment: Significant, since the site would cease to form part of the countryside, and even those attributes that would remain/be enhanced (notably the vegetated field boundaries) would lose much of their legibility as countryside features; and
- d) To preserve the setting and special character of historic towns: None, since the historic character of the village centre is physically and visually separated from the site.

7.15 The development clearly contravenes three of the four relevant Green Belt purposes at a local level.

## 8. Review of Visual Effects

### Summary of LVIA Effects

8.1 The visual effects are set out in LVIA Appendix A.4. For ease of comparison, I have summarized these in Table 5 below.

**Table 5: Summary of Visual Effects from LVIA**

View	Sensitivity	Year 1		Year 15	
		Magnitude of Change	Significance of Effect	Magnitude of Change	Significance of Effect
1	Medium	Very small	Negligible adverse	Very small	Negligible adverse
2	Medium	Medium/ Large	Moderate/ Major adverse	Medium	Moderate adverse
3	Medium	Medium/ Large	Major/ moderate adverse	Medium	Moderate adverse
4	Medium	Large	Major/ moderate adverse	Medium	Moderate adverse
5	Medium	Small	Minor adverse	Very small	Negligible adverse
6	None	Neutral	None*	Neutral	None*
7	None	None	Neutral	None	Neutral
8	None	None	Neutral	None	Neutral
9	None	None	Neutral	None	Neutral
10	None	None	Neutral	None	Neutral
11	None	None	Neutral	None	Neutral
12	None	None	Neutral	None	Neutral
13	None	None	Neutral	None	Neutral
14	Medium	Very small	Negligible adverse	None	Neutral
15	None	None	Neutral	None	Neutral
16	None	None	Neutral	None	Neutral
17	Medium	Very small	Negligible adverse	None	Neutral



18	Medium-Low	Very small	Negligible adverse	None	Neutral
19	None	None	Neutral	None	Neutral
20	Medium	Medium	Moderate adverse	Medium/Small	Minor/moderate adverse
21	Medium-Low	Small	Minor adverse	Very small	Negligible adverse
22	None	None	Neutral	None	Neutral

\* I suspect these effects should be read as "Neutral" and the magnitudes of change as "None"

8.2 I agree with the LVIA that there are unlikely to be any effects on the following views, due to obstruction by land-use features (usually vegetation) and/or terrain, often reinforced by viewing distance: 7-13, 15+16, 19 and 22.

### Sensitivity

8.3 The sensitivity of the remaining views is considered in the LVIA to be, at most, medium, medium-low in two cases (18 and 19) and none in one case (6). Sensitivity is derived from a combination of susceptibility and value. The LVIA considers susceptibility to be high for all views except three. These are 18 and 21 (from the A41 overbridge and M1 footbridge respectively), which are considered to be of medium susceptibility; and 6, from Wayside Avenue within the built-up area (which is considered to have no susceptibility). Whilst I agree with the assessment of susceptibility for views 18 and 21, I consider the susceptibility of view 6 to be low rather than none.

8.4 Where the LVIA considers susceptibility to be high or medium, it then considers all but one (14) of these views to be of low value, because they are not from or over a designated area, have minimal cultural associations and are of limited scenic quality. In my opinion, this sets the bar too high; the value of local views should be assessed within a local frame of reference, where landscape designations will often be absent. I have therefore re-assessed the value of these views on this basis, and have concluded that:

- View 1 is a partially rural view, influenced in the middle-ground by the Rossway Drive development, and is of medium value (compared to LVIA low);

- View 2 is a predominantly rural view and is of medium value (compared to LVIA low);
- View 3 is a substantially rural view, but seen within a settlement edge setting, and is of medium value (compared to LVIA low);
- View 4 is a partly rural view, seen within a settlement edge setting, and is of medium value (compared to LVIA low);
- View 5 is a largely enclosed view within a wholly suburban setting (although the openness of the site is perceptible in the middle-distance) and is of low value (consistent with the LVIA);
- View 6 is also a suburban view, with the openness of the site perceptible in the middle-distance, and is of low value (compared to LVIA none);
- View 14 is a locally notable view of open water within a predominantly undeveloped setting, and is of high value (compared to LVIA medium);
- View 17 provides an open panorama across reasonably attractive countryside and is of medium value (compared to LVIA low);
- View 18 provides an open view as far as the Bushey ridge, but is dominated by the M1 and therefore of low value (consistent with LVIA);
- View 20 provides a predominantly rural view, diminished by unsightly features in the middle-ground (and the aural impact of the M1), and is of medium value (compared to LVIA low); and
- View 21 provides a largely open view towards Bushey, including distinctive oaks, but dominated by the M1, and is of low value (consistent with LVIA).

8.5 I therefore agree with the LVIA assessment of value and sensitivity in relation to three views (5, 18 and 21), but consider it to have under-reported these for the remaining views.

### Magnitude of Change and Predicted Effects

8.6 In terms of magnitude of change at Year 1, I have assessed this to be as follows:

- View 1: Roofline of proposed development potentially visible behind/to the left of the Rossway Drive development = Very Small (consistent with LVIA);
- View 2: Roofline and upper facades of western development plots visible beyond hedgerow across middle-ground = Medium/Large (consistent with LVIA);
- View 3: New junction will dominate foreground, with framed views into site towards facades of western development plots = Large (compares to LVIA Medium/Large);
- View 4: Facades of western development plots will terminate view in the middle-ground = Large (consistent with LVIA);
- View 5: Roofline and facades of western development plots will be visible in the middle-distance = Small (consistent with LVIA);
- View 6: Roofline of eastern development plots potentially visible = Very Small (compares to LVIA None);
- View 14: Roofline of development may be glimpsed = Very Small (consistent with LVIA);
- View 17: Roofline of development may be glimpsed = Very Small (consistent with LVIA);
- View 18: Roofline of development visible across centre of view = Small (compares to LVIA Very Small);
- View 20: Roofline and facades of eastern development parcel visible across right-hand part of view = Medium (consistent with LVIA); and
- View 21: Roofline and partial facades of development visible in middle-ground across majority of the view = Medium (compares to LVIA Small).

8.7 My findings on magnitude of change are consistent with the LVIA for seven of the views, whilst for the remaining three I consider the LVIA to have under-estimated the degree of impact. Taking account of my re-assessment of sensitivity and

impact, I conclude that the Year 1 effects on the relevant views (all of which would be adverse) are as follows:

- View 1: Minor (compares to LVIA Negligible);
- View 2: Moderate/Major (consistent with LVIA);
- View 3: Major (compares to LVIA Moderate/Major);
- View 4: Major (compares to LVIA Moderate/Major);
- View 5: Minor (consistent with LVIA);
- View 6: Minor (compares to LVIA None);
- View 14: Minor (compares to LVIA Negligible);
- View 17: Minor (compares to LVIA Negligible);
- View 18: Minor (compares to LVIA Negligible);
- View 20: Moderate (consistent with LVIA); and
- View 21: Moderate (compares to LVIA Minor).

8.8 In summary, my findings on the Year 1 effects are consistent with the LVIA for three views, but suggest that the LVIA has under-reported the effects for the remainder.

### Residual Effects

8.9 In the absence of visualizations and a detailed planting scheme, the effectiveness of the proposed mitigation can be assessed only in broad terms (and is also likely to vary seasonally). As a rule of thumb, however, it might be expected that by Year 15 the effects could be reduced by one order of magnitude. I would therefore assess the residual effects to be as follows:

- View 1: Negligible (consistent with LVIA);
- View 2: Moderate (consistent with LVIA);
- View 3: Moderate (consistent with LVIA);

- View 4: Moderate (consistent with LVIA);
- View 5: Negligible (consistent with LVIA);
- View 6: Negligible (compares to LVIA Neutral);
- View 14: Negligible (compares to LVIA Neutral);
- View 17: Negligible (compares to LVIA Neutral);
- View 18: Negligible (compares to LVIA Neutral);
- View 20: Minor/Moderate (consistent with LVIA); and
- View 21: Minor (compares to LVIA Negligible).

8.10 I differ from the LVIA on five views, for which I consider the effects to be either Negligible, as opposed to Neutral (6, 14, 17 and 18) or Minor, as opposed to Negligible (21). I agree with the LVIA that, where effects persist at Year 15, these would be adverse, since the mitigation would be insufficient to outweigh the harmful urbanizing impact of the development.

#### Effects on Rural Views and PRowS

8.11 Reason 02 makes specific reference to *"...the visual impact of the development on existing open views with rural aspect from Little Bushey Lane and nearby Public Rights of Way, including those that cross through the application site (PRow Bushey 033 and 040). In particular, views through and within the site from PRow 040 would become enclosed and constrained by built form."*

#### Views from Little Bushey Lane

8.12 The views from Little Bushey Lane are illustrated by Views 3 and 4 (see Figures 4 and 5). Whilst the frontages of this route to the south of Rossway Drive are largely defined by built development, the site provides a "window" onto the adjoining countryside that, for those unfamiliar with the area, is pleasantly unexpected.

- 8.13 The open and greenfield character of the site is very evident, providing an abrupt contrast with the nearby settlement edge (properties in The Squirrels, off Rossway Drive and along the southern side of Little Bushey Lane). The depth of these views is also striking, extending to the largely undeveloped (except for pylons) horizons to the north/north-east, beyond the M1 corridor (which is not readily identifiable - it is not, for example, obviously visible in any of the site appraisal photos, even in winter). Whilst the immediate suburban setting of these views is obvious, and detracts from their amenity, I consider them to be of medium value (as opposed to the low value attributed to them in the LVIA).
- 8.14 The development would fundamentally change the character of these views. In View 3, the new road junction would dominate the foreground, beyond which framed views would probably be gained along the access road, terminated in the middle-ground by the facades of the development plots (but with some intervening landscaping). This frontage of the development is considered in the DAS to be suitable for taller (2.5 storey) buildings).

#### Footpath 033

- 8.15 Only a short section of footpath 033 crosses the site, adjacent to Hart's Farm. Whilst this is envisaged to run through landscaped open space, the development plots (partly of 2.5 storeys) would extend very close to its northern section, urbanizing its setting and blocking the currently open views across the site. To the north, the footpath approaches the site across two pasture fields, in close proximity to the existing Rossway Drive development. In View 2, the roofline and facades of the development would extend across the middle-ground of the view, substantially increasing urban influences on the setting of the route and thereby further reducing its amenity.

#### Footpath 044

- 8.16 Footpath 044 is envisaged to continue broadly on its current alignment within the site. For c75% of its length, however, it would follow the main access road, within a streetscape defined predominantly by the facades of the development plots (except for short sections adjoined by the primary school site, the retained central hedgerow and open space). The remainder of the route would cross the corridor of green infrastructure proposed to occupy the eastern part of the site. It is

acknowledged that the landscaping of this space could provide visual benefits to users of the route. However, these will be insufficient to overcome the urbanizing influence of the development, which would substantially erode the experience of using what is still recognizably a country walk. Impacts on the amenity of views within sites (as well as from the surrounding area) can clearly be a material consideration, as identified in the Burston Nurseries decision [CD I36].

## 9. Summary and Conclusion

- 9.1 The appeal site comprises c18 hectares of pastoral land grazed by horses. It is divided into three fields by native hedgerows, trees and post-and-rail fencing, and includes several notable mature trees, mainly oaks. It is gently undulating, falling northwards towards a watercourse. A high-voltage power line crosses the site, with two pylons falling within it. Two PRoWs also cross the site, starting from the same location on Little Bushey Lane, both of which cross the M1 to access the countryside to the north.
- 9.2 The site is adjoined to the south by the settlement edge, including its frontage to Little Bushey Lane, amounting to about one third of its perimeter. It is otherwise adjoined by open land of similar character and by Hart's Farm, an equestrian business. The settlement edge is widely visible from within the site, exerting a significant influence on its setting. Noise from the M1 is also influential, although the motorway itself is in cutting and substantially screened by vegetation.
- 9.3 The overall perception of the site is of its openness, both visually and in terms of its contribution to the purposes of the Green Belt; its preponderance of countryside features, including vegetated boundaries; and its relationship to the settlement edge, due to its proximity and its contrasting character. The site's rural appearance is particularly evident in views from the two PRoWS, from Little Bushey Lane and from the M1 footbridge. Even where its greenfield use may not be visible, its absence of built development can be appreciated. Its openness provides a degree of inter-visibility with the countryside to the north and with landmarks such as Immanuel College and the parish church.
- 9.4 The site falls into two of the Hertfordshire character areas, with the western third falling within LCA22: Borehamwood Plateau and the remainder into LCA23: Elstree Ridge and Slopes. The open land adjoining the site also falls within these LCAs, with the countryside to the north falling within LCA22. The site and its undeveloped setting are considered to be moderately representative of LCA22 and moderately to highly representative of LCA23.
- 9.5 I consider the LVIA to have consistently under-estimated the sensitivity of landscape receptors within the site, which it considers to range from low to medium, whilst I



assess the range as medium to medium/high. The LVIA also combines the sensitivity of the site and its immediate setting, which it considers to be low. In my view, when assessed separately, the site should be regarded as being of medium/high sensitivity, whilst its setting is of low to medium sensitivity. Reflecting these differences, I also consider the Hertfordshire character areas to be of medium sensitivity, rather than the low reported in the LVIA.

- 9.6 The site forms part of the green gaps of countryside and other open land that separate Bushey from Radlett, Borehamwood and Elstree. Whilst the site forms a modest proportion of these gaps, its contribution to the purposes of the Green Belt should properly be assessed within a local frame of reference. In this context, I consider the site to make a substantial contribution to purpose (a) and a moderate contribution to purposes (b) and (c), whilst agreeing that purposes (d) and (e) do not apply.
- 9.7 The appeal proposal would transform the character of the site from being part of the countryside to becoming an extension to the settlement. More than half of it would be occupied by built development, a substantial proportion of which would be taller than two-storeys in height. Its open and rural character would be lost and its natural terrain either modified or masked. Where countryside features such as hedgerows are retained, they would to varying degrees become embedded within the built-up area, and their visual influence much reduced.
- 9.8 Within the parts of the site to be enhanced as green space, the field pattern would no longer be discernible, the introduction of amenity use would have a suburbanizing influence, and openness would be lost over time as landscaping matures. The settlement edge would extend c300-400m northwards from Little Bushey Lane, reducing the gap of open land separating it from the development at Rossway Drive to one field in width, and reaching almost as far as the M1 corridor.
- 9.9 Reflecting my earlier comments about landscape sensitivity, I consider the LVIA to have materially under-reported the effects on the open fields and landform within the site, on the site as a whole, on the undeveloped parts of its setting and on the Hertfordshire character areas. I also consider the net residual effects on these receptors to remain adverse, since the proposed enhancements would in my view

be insufficient to outweigh the harmful effects of urban encroachment into the countryside.

- 9.10 Within a local context, the loss of countryside and both visual and Green Belt openness would significantly harm the site's contribution to purposes (a) and (c), and materially harm its contribution to purpose (b).
- 9.11 Whilst there is substantial agreement between myself and the LVIA as to the relevant views, I consider the LVIA to have under-stated their sensitivity and magnitude of change in several cases, which has resulted in the under-reporting of effects. Where effects persist at Year 15, however, I agree with the LVIA that they would be adverse. I endorse the concerns raised in RfR relating to the harmful effects on rural views from the settlement edge/Little Bushy Lane and on the setting and amenity of the two PRoWS within the site.
- 9.12 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. Green Belt purposes (a), (b) and (c), as set out in NPPF138;
  - iii. The need to recognise the intrinsic character and beauty of the countryside as per NPPF174(b)<sup>2</sup>;
  - iv. The avoidance of inappropriate development in the Green Belt as set out in Core Strategy policies SP1(vii) and CS13;
  - v. The need to conserve and enhance the landscape character of the borough as per Core Strategy policy CS12;
  - vi. The need to help conserve, enhance and/or restore the character of the wider landscape across the borough, as per Site Allocations and Development Management Plan Policy SADM11; and

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<sup>2</sup> Which implies a degree of protection, as per [49] of *Cawrey Ltd v SSCLG and Hinkley and Bosworth BC* [2016] EWHC 1198 [Admin]

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 policy SADM26(iv).

9.13 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.