

---

**CD 3.19a**

Land South of Chiswell Green Lane,  
Chiswell Green, St Albans:

Proof of Evidence of Lisa Toyne  
BA (Hons) DipLA DipTP CMLI

Section 78 Appeal PINS Reference: APP/B1930/W/22/3313110

Application Reference: 5/2022/0927

Prepared on behalf of Alban Developments Limited and Alban Peter  
Pearson, CALA Homes (Chiltern) Ltd and Redington Capital Ltd

March 2023

Land South of Chiswell Green Lane,  
Chiswell Green, St Albans:  
Proof of Evidence of Lisa Toyne  
BA (Hons) DipLA DipTP CMLI

Prepared on behalf of Alban Developments Limited and Alban Peter  
Pearson, CALA Homes (Chiltern) Ltd and Redington Capital Ltd

Barton Willmore, now Stantec  
7 Soho Square  
London  
W1D 3QB

Tel: 020 7446 6888  
Fax: 020 7446 6889  
Email: [lisa.toyne@bartonwillmore.co.uk](mailto:lisa.toyne@bartonwillmore.co.uk)

Ref: 23536/A5  
Date: March 2023  
Status: FINAL

COPYRIGHT

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore, now Stantec.

All our stationery is produced using recycled or FSC paper and vegetable oil based inks.

## **CONTENTS**

1.1	Introduction.....	1
2.0	Landscape and Visual Context .....	5
3.0	Landscape and Visual Appraisal of the Appeal Site .....	27
4.0	Landscape and Visual Appraisal of the Proposed Development .....	33
5.0	Reason for Refusal 1: Green Belt .....	43
6.0	Reason for Refusal 1: Landscape Character .....	57
7.0	High Level Cumulative Assessment.....	63
8.0	Summary and Conclusions .....	73

## **ILLUSTRATIVE MATERIAL**

### **Appendix LT-1: Illustrative Material:**

- Figure LT1: Appeal Site Context Plan
- Figure LT2: Topographical Features Plan
- Figure LT3: Landscape Character Plan
- Figure LT4: Appeal Site Appraisal Plan
- Figure LT5: Visual Appraisal Plan
- Figure LT6: Landscape and Visual Opportunities and Constraints Plan
- Figure LT7: Landscape Framework Plan
- Figure LT8: Publicly Accessible Green Space Strategy Plan

## **APPENDICES**

**Appendix LT-2: Appeal Site Appraisal Photographs A - K**

**Appendix LT-3: Appeal Site Context Photographs 1 - 18**

**Appendix LT-4: Realm Wireline Document (From Appeal Site Context Photograph 10)**

**Appendix LT-5: Realm Photomontage Document (From Appeal Site Context Photograph 10)**

**Appendix LT-6: SACDC Published Green Belt Review Extracts**

## 1.1 INTRODUCTION

### Personal Qualifications

- 1.2 My name is Lisa Toyne. I am a Landscape Planning Associate Director at Barton Willmore, now Stantec. I am based in the Landscape Planning and Design Team in our London office.
- 1.3 I am a Landscape Architect and a Chartered Member of the Landscape Institute. I hold a Degree and Post Graduate Diploma in Landscape Architecture from Greenwich University, and a Post Graduate Diploma in Town Planning from London Southbank University.
- 1.4 I have practised as a Landscape Architect for over 25 years, during which time I have been personally involved in the strategic and detailed landscape design of many types of development, including residential schemes, major business parks, mixed use developments, retail outlets and leisure facilities. I have also undertaken numerous landscape and visual assessments including major infrastructure development, residential developments, utility facilities, energy and waste facilities, and Home Office and MoD proposals.
- 1.5 I have also given expert witness for numerous proposed residential developments, many of which were in sensitive landscape locations. These include giving expert witness at a hearing for residential development at Pangbourne College within the North Wessex Downs Area of Outstanding Natural Beauty, Berkshire; for a residential development for 650 dwellings on the northern edge of Basingstoke; for a 60 bed care home and 30 age restricted cottages on the edge of Southbourne, within the Chichester-Emsworth Strategic Gap; for a residential development of 90 dwellings and a Care Home in the High Weald Area of Outstanding Natural Beauty; for up to 495 residential dwelling, a primary school and associated facilities infrastructure and open space on the edge of Thatcham, West Berkshire, in close proximity to the North Wessex Downs Area of Outstanding Natural Beauty; for 48 residential dwellings and associated open space and car parking, on the former All Saints RC School, West Wickham LB Bromley, in Green Belt for; for proposed development across 3 sites, comprising 90 dwellings, 300 dwellings and the relocation of Wymondham Rugby Club, South Norfolk, partly in the Wymondham - Hethersett Strategic Gap.
- 1.6 I am familiar with the Appeal Site, Chiswell Green and the surrounding area, having been involved in the project from 2016, providing initial landscape and visual advice on the suitability of the Appeal Site to successfully accommodate residential development, taking into account its location on the immediate settlement edge of Chiswell Green, and within Green Belt. I have provided landscape and visual advice, and Green Belt advice insofar as it relates to landscape

and visual issues, to support the promotion of the Appeal Site for residential development, through various stages of the promotion of the Appeal Site through the St Albans City and District Plan and accompanying Green Belt Reviews; and have provided landscape and visual advice to inform the design evolution of proposals for the Appeal Site, from input into preliminary development concepts to the Outline Planning Application Proposals, overseeing the preparation of the Landscape Strategy and Landscape Design for the Design and Access Statement, and the preparation of the Landscape and Visual Appraisal and Green Belt Review of the Proposed Development for the Outline Planning Application for the Appeal Site.

### **The Appeal Proposals**

- 1.7 The Outline Planning Application (Ref: 5/2022/0927) for the Proposed Development comprised the demolition of existing structures and construction of up to 391 dwellings (Use Class C3), the provision of land for a new 2FE Primary School, open space provision and associated landscaping and new access arrangements. The Site is located on the western settlement edge of Chiswell Green.
- 1.8 The Outline Planning Application was refused on 6th December 2022, with two Reasons for Refusal (RfR), and with RfR 1 being relevant to landscape and visual considerations. RfR 1 alleges that:

*Reason for Refusal 1*

*"The proposed development comprises inappropriate development, for which permission can only be granted in very special circumstances, these being if the harm to the Green Belt and any other harm is clearly outweighed by other considerations (paragraph 148 NPPF 2021). We do not consider that the benefits outweigh the harm caused by this proposed development due to the harm to the Green Belt openness and purposes relating to encroachment to the countryside, urban sprawl and merging of towns. The harm also relates to landscape character and the loss of agricultural land. The proposal is therefore contrary to the National Planning Policy Framework 2021, Policy S1 of the St Stephen Parish Neighbourhood Plan 2019-2036 and Policy 1 of the St Albans District Local Plan Review 1994"*

### **Scope of Evidence**

- 1.9 My Evidence addresses the landscape and visual matters set out in Reason for Refusal 1, with regard to the:

- Alleged harm caused by this proposed development due to the harm to the Green Belt openness and purposes relating to encroachment to the countryside, urban sprawl and merging of towns, insofar as it related to landscape and visual considerations; and
- Alleged harm to landscape character.

1.10 I will consider the character of the Appeal Site; the immediate surrounding context including the settlement of Chiswell Green; and that of the wider countryside and the Green Belt, to demonstrate that the Proposed Development is keeping with the location of the Appeal Site, considering the approach taken to delivering the Proposed Development on the Appeal Site, and in considering the immediate and wider surrounding landscape and visual context.

1.11 My evidence should be read in conjunction with that of Mrs Julia Trindale, RPS Group, who will provide evidence on the purported detrimental impact on agricultural land; and Mr Justin Kenworthy, BWnS, who will provide evidence in relation to planning and policy matters and overall planning balance. It should also be read in conjunction with the Land South of Chiswell Green Landscape and Visual Impact Assessment, April 2022, **(CD2.5)** and Green Belt Review, April 2022, **(CD2.6)**, both prepared by BWnS; and the following illustrative material and supporting information within the appendices to my evidence:

## **APPENDICES**

### **Appendix LT-1: Illustrative Material:**

Figure LT1: Appeal Site Context Plan

Figure LT2: Topographical Features Plan

Figure LT3: Landscape Character Plan

Figure LT4: Appeal Site Appraisal Plan

Figure LT5: Visual Appraisal Plan

Figure LT6: Landscape and Visual Opportunities and Constraints Plan

Figure LT7: Landscape Framework Plan

Figure LT8: Publicly Accessible Green Space Strategy Plan

**Appendix LT-2:** Appeal Site Appraisal Photographs A - K

**Appendix LT-3:** Appeal Site Context Photographs 1 - 18

**Appendix LT-4:** Realm Wireline Document (From Appeal Site Context Photograph 10)

**Appendix LT-5:** Realm Photomontage Document (From Appeal Site Context Photograph 10)

**Appendix LT-6:** SACDC Published Green Belt Review Extracts

1.12 In addition, my evidence will make reference to the Access and Movement Parameter Plan **(CD1.15)**, the Land Use Parameter Plan **(CD1.5 and CD1.28)**, the Building Heights Parameter

Plan, **(CD1.7 and CD1.25)**, and the Illustrative Masterplan **(CD2.27)**; the Design and Access Statement (DAS), in particular Section 4.7: Landscape Structure and Section 4.8: Landscape and Urban Design Proposals **(CD1.3)**; and the SACDC Committee Report **(CD3.4)** and the Decision Notice **(CD3.7)**.

### **Structure of Evidence**

- 1.13 Firstly, I will review the landscape and visual context in which the Appeal Site is located, including the context of the Appeal Site within the Green Belt. I will describe the existing landscape characteristics of the Appeal Site; the existing visual characteristics of the Appeal Site and that of its locality and assess the degree to which the Appeal Site is characteristic of the local and wider surroundings. I will then assess then assess the value, susceptibility, and sensitivity of the Appeal Site.
- 1.14 I will then assess the contribution that the Appeal Site makes to the purposes of the Green Belt, and the effect that the Proposed Development would have on the openness of the Green Belt, both in terms of the Appeal Site, and the wider Green Belt; and address the alleged harm to the openness of the Green Belt, and the alleged harm to the purposes of the Green Belt relating to encroachment to the countryside, urban sprawl and merging of towns, insofar as the alleged harm is related to landscape and visual considerations
- 1.15 I will then consider the landscape and visual effects arising from the Proposed Development, in terms of the effects on landscape features of the Site, the character of the Site, and the landscape and visual effects of the immediate context of the Site. I will demonstrate the very limited extent of any landscape and visual effects, largely limited to the Appeal Site, relating to the inevitable change in the character of the Appeal Site itself when accommodating any development similar to that of the Proposed Development, with limited harm to the wider landscape character.
- 1.16 Finally, I will draw my conclusions.
- 1.17 The evidence which I have prepared and provide for Appeal APP/B1930/W/22/3313110 in this Proof of Evidence is true and has been prepared and given in accordance with guidance of my professional institution, and I confirm that the opinions expressed are my true professional opinions.

## 2.0 LANDSCAPE AND VISUAL CONTEXT

### Policy Context

- 2.1 The Appeal Site is located within the St Albans City and District and within St Stephen Parish. RfR 1 alleges that the Proposed Development for the Appeal Site is contrary to the National Planning Policy Framework 2021, in particular with regard to the openness and purposes of the Green Belt; Saved Policy 1 of the St Albans District (SADC) Local Plan Review 1994; and Policy S1 of the St Stephen Parish Neighbourhood Plan 2019-2036.
- 2.2 A brief summary of the of the above policy context is set out below, with further relevant policy context set out the National Planning Policy Framework (NPPF) **(CD7.1)**, St Albans City and District (SADC) Adopted Local Plan 1994 **(CD8.1)**, and in St Stephen Parish Neighbourhood Plan **(CD8.12)**.

#### *National Planning Policy Framework (NPPF), 2021 (CD7.1)*

- 2.3 Chapter 13 of the NPPF addresses issues of protecting the Green Belt, with Paragraph 137 stating *"... the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open..."* and that *"... the essential characteristics of Green Belts are their openness and their permanence"*.
- 2.4 Paragraph 138 subsequently sets out the following five purposes of the Green Belt:
- 1) "To check the unrestricted sprawl of large built-up areas;**
  - 2) To prevent neighbouring towns merging into one another;**
  - 3) To assist in safeguarding the countryside from encroachment;**
  - 4) To preserve the setting and special character of historic towns; and**
  - 5) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land".**

- 2.5 With regard to Green Belt boundaries paragraph 142 states:

*"When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green*



*Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”.*

2.6 On defining boundaries, Paragraph 143 states that local authorities should:

*“...define boundaries clearly, using physical features that are readily recognisable and likely to be permanent”.*

2.7 With regard to inappropriate development, Paragraph 147 states that it is:

*“by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

2.8 Paragraph 148 further explains that:

*“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.*

2.9 The National Planning Practice Guidance (NPPG), with regard to the openness of the Green Belt, states, at Paragraph: 001 Reference ID: 64-001-20190722:

*“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*

- 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;*
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- the degree of activity likely to be generated, such as traffic generation.”*

*Saved Policies from St Albans District (SADC) Local Plan (Adopted 30th November 1994)  
(CD8.1)*

- 2.10 On 14th September 2007, the Secretary of State issued a formal Direction to SACDC under Paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004. This Direction saves specified policies of the District Local Plan Review 1994, which are still formally recognised as part of the development plan for St Albans.

***Policy 1 - Metropolitan Green Belt:***

***"... New development within the Green Belt shall integrate with the existing landscape. Siting, design and external appearance are particularly important and additional landscaping will normally be required. Significant harm to the ecological value of the countryside must be avoided ... "***

*St Stephen Neighbourhood Plan (2019 -2036) Adopted July 2022 (CD8.12)*

- 2.11 The Site is located within the northern extents of St Stephen Parish which is bounded by St Albans to the north and Watford to the south. The final version was the subjects of a Parish wide referendum in May 2022, and the final version adopted in July 2022. RfR 1 refers to Policy S1 Location of Development, which states:

***"Policy S1: Location of Development***

- 1) Development proposals in St Stephen Parish will be supported within the Built-up Area Boundaries of Bricket Wood, Chiswell Green and Park Street, identified on the Policies Map. Development proposals that would preserve or enhance the character or appearance of the area and achieve a net gain in biodiversity will be particularly supported.***
- 2) Development proposals outside the Built-Up Area Boundary will not be supported unless:***
  - i. it is on sites allocated for those uses in the St Albans District Local Plan or in any successor; or*
  - ii. it relates to necessary utilities infrastructure and where no reasonable alternative location is available; or*
  - iii. it relates to uses that are appropriate in the Green Belt.*
- 3) Residential development which meets either the exceptions to inappropriate development in the Green Belt as set out in paragraphs 145 and 146 of the National Planning Policy Framework, or demonstrates very special circumstances, as set out in paragraph 147 of the National Planning Policy Framework, will be supported. Where very special circumstances can be demonstrated, development of the following types will be supported:***
  - i. affordable housing; or*
  - ii. smaller units for younger people; or*
  - iii. properties tailored to the ageing population; or*
  - iv. provision of additional community benefit*

- 4) *Development that would be visually intrusive when viewed from publicly accessible locations will not be supported unless it can be appropriately mitigated with landscape screening.*
- 5) *In determining development proposals substantial weight will be given to the value of using suitable brownfield land within the built-up boundaries for either homes and/or other identified needs, or to support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land."*

### **Appeal Site Context**

- 2.12 The location of the Appeal Site is illustrated on **Figure LT1: Appeal Site Context Plan**. The agreed location of the Appeal Site is set out in the Statement of Common Ground. A more detailed description of the Appeal Site Context is described the Land South of Chiswell Green Landscape and Visual Impact Assessment, (BWnS LVIA), April 2022, **(CD2.5)**, prepared by BWnS, and which I contributed to and reviewed, in Section 3.0.
- 2.13 The Landscape and Visual Context of the Appeal Site is illustrated by **Figure LT1: Site Context Plan, Figure LT2: Topographical Features Plan, Figure LT3: Landscape Character Plan, Figure LT4: Appeal Site Appraisal Plan, and Figure LT5: Visual Appraisal Plan**, included in **Appendix LT1**; and **Appeal Site Appraisal Photographs A – K and Appeal Site Context Photographs 1 – 18**, included in **Appendix LT 2 and Appendix LT3**, respectively.

### **Settlement Pattern**

- 2.14 The Appeal Site immediately adjoins the western existing settlement boundary of Chiswell Green. Chiswell Green, and the Appeal Site, is set within the settlement context of St Albans to the north, north of the A414 North Orbital Road; settlements of How Wood, Park Street, and Frogmore to the east; and Bricket Wood to the south, south of the M25; all to the east of a swathe of landscape between the settlements and the M1, as illustrated on **Figure LT1: Appeal Site Context Plan**.

### **Landscape Setting, Location and Land Use**

- 2.15 The Appeal Site not only immediately adjoins, but is partially set within, the western edge of the existing settlement of Chiswell Green, being contained by adjoining existing residential development to the north (in part), west and south.

- 2.16 The Appeal Site is contained by existing residential development, in Hammers Court, Rosedene End, Forge End and Long Fallow, immediately adjoining the eastern boundary of the Appeal Site. It is of note that the residential development containing the eastern Appeal Site boundary, that is the rear gardens of the housing, immediately abuts the boundary with no buffer, set back or frontages to the Appeal Site Boundary, as illustrated by **Appeal Site Appraisal Photographs D, E, I, J, and K**, looking east toward the settlement edge of Chiswell Green, and the locations of which are shown on **Figure LT4: Appeal Site Appraisal Plan**.
- 2.17 Furthermore, a road access, suitable for a residential estate road, has been constructed off Forge End up to the Appeal Site boundary, between two dwellings. In addition, there are further breaks within the housing allowing for accessibility to, and permeability with, the Appeal Site, as illustrated by **Appeal Site Context Photograph 1**, the location of which is shown on **Figure LT5: Visual Appraisal Plan**. This suggests that, at the time of developing the western edge of Chiswell Green, there was an intention to extend the settlement to the further west into the Appeal Site.
- 2.18 The settlement of Chiswell Green also extends further south beyond the Appeal Site, including existing residential development extending south from Long Fallow, in Noke Side and Belvedere Gardens, with The Noke Hotel, Mercure St Albans Noke Hotel, and associated parking and infrastructure on the south-western edge of Chiswell Green, as illustrated by **Figure LT1: Appeal Site Context Plan**.
- 2.19 The Appeal Site also immediately adjoins, and is contained by, existing residential development along Chiswell Green Lane, in part, along its northern boundary. Chiswell Green Farm and its associated buildings, although outside the Chiswell Green Settlement Boundary, and within Green Belt, are located on the southern side of Chiswell Green Lane, and again, immediately adjoins the northern boundary of the Appeal Site, as illustrated by **Figure LT1: Appeal Site Context Plan**.
- 2.20 The now closed Butterfly World, along with its ancillary buildings, extensive areas of parking and hard standing, is a leisure-based development, immediately adjoining the western boundary of the Appeal Site. The associated ancillary buildings, parking, access road (Miriam Lane, a private road), mounding and structure planting forms the length of western boundary of the Appeal Site. More recently, much of the parking areas for Butterfly World are utilised for storage and accommodate containers and a variety of vehicles, materials, stockpiles and other clutter. The Royal National Rose Society's 'Gardens of the Rose' at Bone Hill, a large property surrounded by rose gardens with woodland edges, is located to the west of Butterfly World.

- 2.21 A more rural landscape consisting of agricultural fields, boundary hedgerows and small woodland blocks, with scattered farms, smallholdings, stables and dwellings, extends to the north, west and south of the Appeal Site, the former Butterfly World and Garden of the Rose. However, the Appeal Site is segregated from this more rural landscape by the former Butterfly World, its access road (Miriam Lane) and associated mounding and structure planting along the western boundary of the Site, and the Garden of the Rose beyond, as illustrated by **Figure LT1: Appeal Site Context Plan**.
- 2.22 Significant transport corridors dissect the landscape, with the A414 to the north, the M1 to the west and both the M25 and A405 (the North Orbital Road) to the south and south-east, with substantial interchanges between the M1 and A414, and M1 and M25, to the north-west and south-west respectively.
- 2.23 In addition, Chiswell Green Lane runs broadly east/west along the northern boundary of the Appeal Site, which connects Watford Road (B4630) in Chiswell Green with Blunts Lane; Noke Lane runs broadly north-west/south-east to the west and south of the Site, and connects Chiswell Green Lane with the North Orbital Road (A405); and the access for the former Butterfly World, Miriam Lane, (a private road) runs north/south adjacent to the western boundary of the Appeal Site and connects with Noke Lane to the south.

### **Topography and Hydrology**

- 2.24 The River Ver flows north-south some 1km to the east of Chiswell Green at an elevation of approximately 65m Above Ordnance Datum (AOD). The Appeal Site is located on the shallow western valley sides of the River Ver, with the Appeal Site being at an elevation of between 85m and over 100m Above Ordnance Datum (AOD), west beyond the intervening existing settlement of Chiswell Green, as illustrated on **Figure LT2: Topographical Features Plan**. The land continues to rise to a localised ridge to the immediate north of the Appeal Site, up to an elevation of above 105m AOD, beyond which land then rises further, to the north-west, to a series of high points at approximately 135m AOD. Woodland cover also increases significantly to the north and north-west of the Appeal Site.
- 2.25 To the south, south-west and south-east of the Appeal Site, the land drops down to the River Ver. The settlements of Park Street and How Wood are located on the lower western slopes of the River Ver valley, with Chiswell Green extending up the western valley side onto the higher elevated land to the north of the Appeal Site. The Appeal Site is therefore contained to the south, east and north-east by residential development which rises up the valley side, and onto the ridge above the Appeal Site, as illustrated on **Figure LT2: Topographical Features Plan**.

## Vegetation

- 2.26 The vegetative structure of the local agricultural landscape context to the west of the Appeal Site is defined by a network of hedgerows and hedgerow trees, with field boundaries varying from intact to gappy or denuded; along with small, scattered blocks and belts of woodland, generally associated with tracks and commercial or residential properties, as illustrated by **Figure LT1: Appeal Site Context Plan**. In contrast, to the north and north-west, there are substantial woodland blocks, associated with the more elevated land, having a good degree of connectivity, and providing a high level of enclosure.
- 2.27 Large areas of tree cover are also present further from the Appeal Site within the wider context, particularly to the north, south and west, and woodland belts are associated with transport routes such as the M1/M25 interchange. Locally, the network of country lanes exhibits a varying level of tree cover, with much of Chiswell Green Lane lined with mature hedgerow and hedgerow trees, and Noke Lane being less consistently vegetated.
- 2.28 Woodland blocks and treebelts within, immediately adjacent to, or near, the Appeal Site further assist in enclosing the eastern part of the Appeal Site. Hedgerow trees on the western Appeal Site boundary, along with the mounding and maturing structure planting associated with the access (Miriam Lane) to the former Butterfly World also assist in containing the western part of the Appeal Site.

## Access and Rights of Way

- 2.29 No Public Rights of Way (PRoW) cross the Appeal Site and there is no other public access to the Appeal Site.
- 2.30 PRoW St Stephen 082, a short distance local footpath, runs north/south to the north of the Appeal Site, from Chiswell Green Lane. This connects with PRoWs 630, 020, and then 010 to connect with the A414, North Orbital Road further north. This route runs along the edge of Chiswell Green, with housing fronting on to the PRoW, as illustrated by **Appeal Site Context Photograph 5 and 6**, the locations of which are shown on **Figure LT5: Visual Appraisal Plan**.
- 2.31 There is a network of PRoWs within the landscape to the west, and to some extent south and north, of the Appeal Site, as illustrated on **Figure LT1: Appeal Site Context Plan and Figure LT5: Visual Appraisal Plan**; however, these PROWs are generally beyond the intervening former Butterfly World and The Gardens of the Rose, with PRoW 080 being some 300m to the north, PRoW 021 being some 330m to the north-west, PRoW 028 being over 460m

to the west, and PRoW 022 being over 450m to the south west, with all PRoWs being over 300m from the Appeal Site, at distance from the Appeal Site. Views from these PRoWs are illustrated by **Appeal Site Context Photographs 6 – 18**, again the locations of which are shown on **Figure LT5: Visual Appraisal Plan**.

### **Designations**

- 2.32 The Appeal Site is located within the Green Belt as identified in the St Albans City and District Local Plan, Adopted 1994. **Figure LT1: Appeal Site Context Plan** illustrates the extent of Green Belt within the surrounding landscape, demonstrating that the Green Belt is drawn tightly around the existing edges of settlement.
- 2.33 There is no Ancient Woodland on, or within the locality of, the Appeal Site. There are four Tree Preservation Orders (TPOs) within, on the boundary of, or adjacent to, the Appeal Site, with reference to (T3), (T6 and T7), and (W1), respectively, as illustrated on **Figure LT4: Appeal Site Appraisal Plan**; however, these are either retained within the Proposed Development, with relevant offsets for Root Protection Areas (RPAs) or, where adjoining the Appeal Site, are unaffected by the Proposed Development on the Appeal Site, and these are not cited in RfR 1.
- 2.34 There are no other relevant landscape policy designation on the Appeal Site, and whilst there are other designations within the context of the Appeal Site, such as Conservation Areas, Listed Buildings, Registered Parks and Gardens, within the wider landscape setting of the Site, again these are generally at distance to the Appeal Site, with intervening development or broad swathes of landscape and woodland providing separation, such that these are unaffected by the Proposed Development on the Appeal Site and not cited in RfR 1.

### **Landscape Character Context**

- 2.35 The landscape character assessment approach is a descriptive approach that seeks to identify and define the distinct character of landscapes that make up the country. This approach recognises the intrinsic value of all landscapes, not just 'special' landscapes, as contributing factors in people's quality of life, in accordance with the European Landscape Convention. It also ensures that account is taken of the different roles and character of different areas, in accordance with the NPPF Core Principles. The description of each landscape is used as a basis for evaluation, in order to make judgements to guide, for example, development or landscape management. The various levels of Landscape Character Assessment are shown on **Figure LT3: Landscape Character Plan**.

## National Landscape Character (NCA)

### NCA 111: Northern Thames Basin (CD7.5)

- 2.36 As part of Natural England's responsibilities in delivering the Natural Environment White Paper, Biodiversity 2020 and the European Landscape Convention, Natural England has developed a series of National Character Area (NCA) profiles. These NCA profiles include an outline of the key characteristics that define landscape character areas, at the broadest level.
- 2.37 The Appeal Site, Chiswell Green, much of St Albans to the north, and the settlements of Bricket Wood to the south, and How Wood and Park Street to the west, are located on the north-western fringe of NCA 111: Northern Thames Basin **(CD7.5)**, as illustrated on **Figure LT1: Landscape Character Plan**. NCA 111 is a diverse area covering an extensive area extending from Hertfordshire in the west to the Essex coast in the east, with areas of urbanisation mixed in throughout, with urban expansion being noted as a feature of this area since the 16th century when wealthy merchants who were conducting business in London built homes on its outskirts, mainly in the Hertfordshire area. This trend increased dramatically from the mid-19th century as infrastructure improved and people could travel to work in London from the surrounding areas in an hour or less. The Appeal Site forms an extremely small part of NCA 111.
- 2.38 NCA 111 sets out four Statements of Environmental Opportunity (SEO) as well as identifying the key characteristics of the area. SEO 1 aims to manage rivers and river valleys and conserve the riparian landscapes and habitats; SEO 2 aims to manage the agricultural landscape for food provision, water availability and biodiversity; SEO 3 aims to protect and manage the historic environment to contribute to local character, habitat restoration, sustainable development and green infrastructure; and SEO 4 aims to manage and expand broadleaf woodland and wood pasture and increase tree cover within urban areas.
- 2.39 The profile describes the key characteristics of NCA 111, including the following characteristics relevant to the Appeal Site and its surroundings:
- *"The landform is varied with a wide plateau divided by river valleys...;*
  - *Characteristic of the area is a layer of thick clay producing heavy, acidic soils, resulting in retention of considerable areas of ancient woodland;*
  - *A diverse landscape with a series of broad valleys containing the major rivers Ver, Colne and Lea...;*
  - *The pattern of woodlands is varied across the area and includes considerable ancient semi-natural woodland.*



*Hertfordshire is heavily wooded in some areas as are parts of Essex... Significant areas of wood pasture and pollarded veteran trees are also present;*

- *The field pattern is very varied across the basin reflecting historical activity;*
- *Mixed farming, with arable land predominating in the Hertfordshire plateaux;*
- *The diverse range of semi-natural habitats include ancient woodland, lowland heath and floodplain grazing marsh and provide important habitats for a wide range of species including great crested newt, water vole, dormouse and otter; ... and*
- *The medieval pattern of small villages and dispersed farming settlement remains central to the character of parts of Hertfordshire and Essex. Market towns have expanded over time as have the London suburbs and commuter settlements... "*

2.40 The profile divides NCA 111 into four distinct areas, shaped by their geology, topography, and land use. Of these, the Appeal Site falls within the 'Hertfordshire plateaux and river valleys, which the profile describes as follows:

*"The Hertfordshire plateaux and river valleys to the north-west of the NCA are high, broad arable plateaux divided by wooded and pastured valleys which have a mainly rural feel with, on the whole, small developments ... The area is underlain by extensive Chalk beds ...*

*While the plateaux are predominantly in arable use, the valleys by contrast contain areas of pasture and have a more intimate character, although some have been heavily modified by reservoirs ... The valleys contain all the main settlements within the area. Field boundaries are dominated by informal enclosure patterns of the 18th century, with thorn hedges relating to rationalisation and amalgamation of this pattern in the 18th and 19th centuries ... There is good survival of medieval timber-framed houses and barns, moated sites and small medieval castles ... The area merges with the outer London suburbs of Enfield, Barnet, Harrow, Hillingdon and Hounslow. It also contains many large towns including Watford, Hatfield, Hertford and St Albans ... Road and rail routes plus utility infrastructure are now dominant features of some parts of the area".*

*Value, Susceptibility and Sensitivity of NCA 111: Northern Thames Basin*

2.41 As set out in the BWnS LVIA (**CD2.5**), the extensive NCA 111: Northern Thames Basin is considered to have a **Medium value** as it contains no World Heritage Sites, National Parks or Areas of Outstanding Natural Beauty (AONB), other than a small portion of the southern extent of the Dedham Vale AONB in the north of Essex. It contains two National Nature Reserves, one of which is in Hertfordshire, and six Ramsar sites (all in Essex). All of the Ramsar sites are also Special Areas of Conservation, and some are also Special Protection Areas. NCA 111 has 72

Sites of Special Scientific Interest, 43 of which are within Hertfordshire. The large-scale landscape is considered to have a **Low susceptibility** to the type of change proposed due to the presence of existing landscape detractors such as the communication corridors that carry roads (such as the M25, M11, M1 A1/A1(M) A10, A12 and A127) and railways (notably the West Coast Main Line, East Coast Main Line, Midlands Main Line and Great Eastern Main Line). It is also considered to a Low susceptibility as settlement is already a highly characteristic component of NCA 111, such that the type of change proposed would be in keeping with the existing landscape and settlement pattern. As a result of this, on balance NCA 111 is considered to have a **Low sensitivity** to change.

## County Landscape Character

### Hertfordshire Landscape Character Assessment (Undertaken between 2000 & 2005): Landscape Character Area 10: St Stephen's Plateau (CD8.13)

2.42 The Appeal Site sits within Landscape Character Area (LCA) 10: St Stephen's Plateau, as illustrated on **Figure LT1: Landscape Character Plan**. LCA 10 surrounds Chiswell Green to the east and north; adjoining the southern settlement edge of St Albans and the western edge of Park Street; and extending east to the London to St Albans Railway Line and much further west beyond the M1. The Appeal Site is therefore located on the edge of LCA 10, where it adjoins the western settlement edge of Chiswell Green, within the eastern part of LCA 10, and where there is a higher instance of settlement, and infrastructure, such as the A405 North Orbital Road, A414 North Orbital Road, Watling Street/Frogmore Road and the London to St Albans Railway Line. The summary of 'Landscape Character' of LCA 10 states the following:

*"A working farmed landscape of predominantly open arable fields which slopes from north-west to south-east. To the north several large mixed woodlands create a local sense of enclosure. Elsewhere hedgerows are sparse with few individual field trees. The settlement pattern is dispersed, connected by a series of narrow winding lanes. The historic land-use pattern is overlaid by a strong network of motorways and junctions. Wooded horizons are common to the north, west and south, whilst to the east the built edge of St Albans and Chiswell Green is prominent".*

2.43 The key characteristics of LCA 10 are as follows:

- *"undulating plateau to north, gently sloping to south east*
- *Medium/large open arable fields throughout*
- *Visually interlocking mixed woodlands to north*
- *Significant extent of motorways and interchanges with associated earthworks, lights and traffic*

- *Narrow winding lanes with sparse clipped hedgerows*
- *Built edge of urban settlements to east*
- *Dispersed settlement with scattered farmsteads"*

2.44 With regard to Land Cover and Land Use, LCA 10 is noted (with emphasis) as:

*"The pattern of land cover is the prominent feature of the landscape. This is characterised by extensive areas of arable cropping, particularly to the south, with few low or relic hedges. The proportion of arable reduces on the plateau areas to the north where historically it has been more heavily wooded. There is a good mix of deciduous and conifer plantations defining the open arable fields. Small areas of pasture are located either around farmsteads, e.g. Potters Crouch, or on urban edges, e.g. Chiswell Green, where other suburban uses are present, including recreation grounds and allotments."*

2.45 Under the 'Visual and Sensory Perception' section, the following is of relevance to the Site:

*"The area is widely visible from outside, including open views from the urban areas to the east. The scale of the landscape is medium to large. ... To the north the woodland provides a stronger sense of enclosure. The noise of the motorways is relentless and discordant. The landscape type is relatively common in the county. The most distinctive feature is the wooded farmland to the north on the plateau".*

2.46 Under the 'Visual Impact' section, the following passages are of relevance to the Site:

*"The raw built edges of Chiswell Green and How Wood represent significant suburban impact".*

2.47 The assessment summarises the 'Condition' of the character area as Moderate and the 'Robustness' of the character areas as Weak, leading to a recommendation that the 'Strategy and Guidelines for Managing Change' should 'Improve and Reinforce'. The key elements relating to this recommendation are as follows:

- *"promote hedgerow restoration and creation throughout the area to provide visual and ecological links between existing and proposed woodland areas. Pattern to follow historic field boundaries where possible*
- *promote the creation of a network of new woodlands in the open arable landscape, particularly with a view to visually integrating the intrusive motorways and existing urban fringe development. Develop a mix of medium to large woods near the motorways and urban areas (developing the existing pattern to the north) and also smaller copses linking with hedgerow restoration on the open arable areas, emphasising topographical variation*

- *promote appropriate woodland management for existing plantation woodlands*
- *improve public access arrangements to woodlands with attention to car park design and safety*
- *broaden the range of recreational opportunities"*

*Value, Susceptibility and Sensitivity of LCA 10: St Stephen's Plateau*

2.48 As set out in the BWnS LVIA (**CD2.5**), LCA 10 does not include any areas designated for landscape value or scenic beauty, and with regard to rarity and distinctiveness, it is noted as being relatively common within the county. It falls partly within an area of Community Forest and contains some Ancient Replanted Woodland and pockets of Ancient Semi-Natural Woodland, as well as features listed on the Priority Habitat Inventory, such as Deciduous Woodland and Traditional Orchards. It also exhibits some cultural associations due to the presence of heritage features, particularly listed buildings. The sense of tranquillity or remoteness is limited due to the influence of extensive areas of settlement to the immediate north-east, east, south and north-west, and the significant extent of motorways and interchanges with associated earthworks, lights and traffic, and with the noise of the motorways being relentless and discordant. The presence of a well-connected network of short distance local PRoW indicates a level of recreational value. On this basis LCA 10 is considered to have **Medium** value.

2.49 LCA 10 has a strong relationship with adjacent existing settlement, including extensive residential areas on the boundaries of Chiswell Green, St Albans, Hemel Hempstead and Watford, as well as the transport corridors of the M1, M25, A414 and A405. LCA 10 also accommodates agricultural and commercial recreational use in the form of the many farmsteads and the Centurion Club golf course. The landscape is fairly open and variously undulating and sloping, with the topography and woodland blocks and belts providing moderate containment. There is a high potential for the incorporation of landscape mitigation as set out in the LCA 10 management guidelines, and since the Proposed Development would be located within the existing landscape and settlement pattern, LCA 10 is judged to have **Low susceptibility** to development of the type proposed. The combination of the above value and susceptibility is judged to result in a **Medium sensitivity** to development of the type proposed.

### **District and Local Level Landscape Character Assessment**

2.50 There are no specific district or local level landscape character assessments that cover the Appeal Site.

2.51 However, the key landscape characteristics, as identified in the Hertfordshire Landscape Character Assessment, that influence the context of the Appeal Site, and are particularly evident, are:

- *"Undulating plateau to north, gently sloping to south east [down towards] the River Ver;*
- *Visually interlocking mixed woodlands to north;*
- *A relatively common landscape type in the county.*
- *Built edge of urban settlements to east;*
- *Immediately adjoining prominent settlement edge of Chiswell Green;*
- *Raw built edges of Chiswell Green and How Wood represent significant suburban impact; and*
- *Significant extent of motorways and interchanges with associated earthworks, lights and traffic, and with the noise of the motorways being relentless and discordant".*

2.52 The Hertfordshire County Council (HCC) Landscape Officer, as noted in the Committee Report **(CD3.4)** confirms that the Appeal Site is located within LCA 10 St Stephen's Plateau, at Paragraph 6.12.1, Page 50; and also notes the following characteristics of LCA 10 as relevant to the Appeal Site:

*"With regards to the site, the landscape character assessment identifies the 'Small areas of pasture are located either around farmsteads...on urban edges, e.g. Chiswell Green, where other suburban uses are present, including recreation grounds and allotments.' 'The raw built edges of Chiswell Green...represent significant suburban impact.'"*

2.53 The HCC Landscape Officer also confirms that:

*"The condition is assessed as moderate and the strength of character is assessed as weak, the overall strategy for managing change is to 'improve and reinforce.'"*

2.54 The HCC Landscape Officer also identifies the guidelines for managing change most relevant to the proposed development, with key guidelines underlined:

- *promote hedgerow restoration and creation throughout the area to provide visual and ecological links between existing and proposed woodland areas. Pattern to follow historic field boundaries where possible*
- *promote the creation of a network of new woodlands in the open arable landscape, particularly with a view to visually integrating the intrusive motorways and existing urban fringe development. Develop a mix of medium to large woods near the motorways and urban areas (developing the existing pattern to the north) and also smaller copses linking with*

*hedgerow restoration on the open arable areas, emphasising topographical variation*

- *promote appropriate woodland management for existing plantation woodlands, including encouraging the replacement of softwoods with indigenous native deciduous communities, hedgebank management and re-establishing a rich ground flora*

### **Green Belt Context**

- 2.55 SACDC, as part of the ongoing Local Plan process, has commissioned two Green Belt Reviews, which include the Appeal Site; the Green Belt Review: Purposes Assessment (November 2013) **(CD8.3)** and the Green Belt Review: Sites and Boundary Study (February 2014) **(CD8.5)**, both prepared by Sinclair Knight Merz on behalf of SACDC. The November 2013 Green Belt Review identified strategic parcels across three Unitary Authorities, including SACDC. It also provided a set of criteria for judging the contribution made to the purposes of the Green Belt, and then identified sub-areas within the strategic parcels for further consideration. The SACDC February 2014 Green Belt Review undertook that further consideration and identified parts of the sub-areas most appropriate for release from the Green Belt.
- 2.56 The Appeal Site is included in the SACDC November 2013 Green Belt Review, as a small part of a much larger Strategic Parcel GB25 and in the SACDC February 2014 Green Belt Review, as Sub-Area S8: Enclosed Land at Chiswell Green Lane at Chiswell Green; the extents of both are identified on **Figure LT1: Appeal Site Context Plan**.

#### *Green Belt Review: Purposes Assessment (November 2013) (CD8.3)*

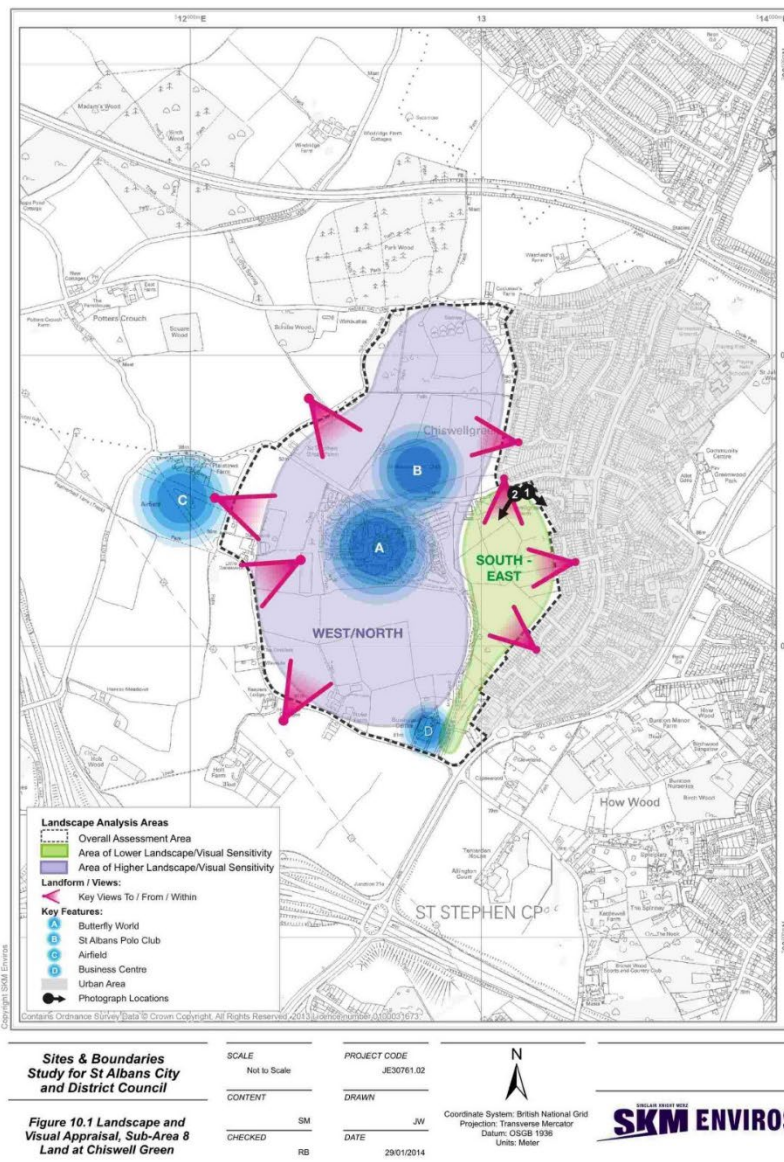
- 2.57 In summary, the SACDC November 2013 Green Belt Review provided a strategic review of Green Belt within the area, identifying strategic sub-areas with varying potential to accommodate Green Belt release, subject to more site-specific assessment. Extracts from this Assessment are provided in Appendix **LT-6: Published Green Belt Review Extracts**. The November 2013 Green Belt Review identified Strategic Parcel GB25, within which the Appeal Site forms a small part on the eastern edge of the parcel adjoining the settlement edge of Chiswell Green, as shown in **Figure LT1: Appeal Site Context Plan**, as having a significant contribution towards safeguarding the existing settlement pattern, and a partial contribution towards preventing merging and preserving setting. Overall it was considered to contribute significantly to 2 out of 5 of the purposes of the Green Belt.

*St Albans Green Belt Review: Sites and Boundary Study (St Albans City and District) (February 2014) (CD8.5)*

- 2.58 The SACDC February 2014 Green Belt Review was prepared to provide detailed and robust assessment of eight strategic sub-areas that were considered to contribute the least towards the five Green Belt purposes, as identified in the SACDC November 2013 Green Belt Review. The February 2014 Green Belt Review identified potential sites for release from the Green Belt, estimating the potential development capacity, and ranking the sites in terms of the suitability of release from the Green Belt. Extracts from this Review are provided in **Appendix LT-6: Published Green Belt Review Extracts**. The Appeal Site is included in one of these sub-areas: Sub-Area S8, Enclosed land at Chiswell Green Lane at Chiswell Green, as shown in as shown in **Figure LT1: Appeal Site Context Plan**.
- 2.59 The findings of the SACDC February 2014 Green Belt Review are intended to *"inform future choices by the Council on how to strike the balance between development needs and Green Belt restraint"*. The SACDC February 2014 Green Belt Review states, in Chapter 10, relevant to the Appeal Site, that Strategic Parcel GB25, of which Sub-Area S8 forms the eastern part, *"significantly contributes towards 2 of the 5 Green Belt Purposes: it safeguards the countryside and maintains the existing settlement pattern (providing a gap between St Albans and Chiswell Green)"*.
- 2.60 However, specifically in relation to Sub-Area S8, the SACDC February 2014 Green Belt Review goes on to say that the land *"displays particular urban fringe characteristics due to its proximity to the settlement edge and Butterfly World along Miriam Road to the west. This development bounds the outer extent of the pasture land and creates a physical barrier to the open countryside"*.
- 2.61 Commenting on possible land use within Sub-Area S8, and thus the Appeal Site, the SACDC February 2014 Green Belt Review goes on to state, *"This creates potential to integrate development into the landscape with lower impact on views from the wider countryside and surroundings. At the strategic level, a reduction in the size of the parcel would not significantly compromise the overall role of the Green Belt or compromise the separation of settlements. Assessed in isolation, the land makes a limited or no contribution towards all Green Belt purposes"*.
- 2.62 The SACDC February 2014 Green Belt Review considers Sub-Area S8 to have a greater sense of enclosure than other parts of the sub-area due to the small woodlands, copses, and hedgerows within it, together with the artificial landform that surrounds Butterfly World, which will be reinforced as planting on it matures. It states, *"Views are much shorter in distance*

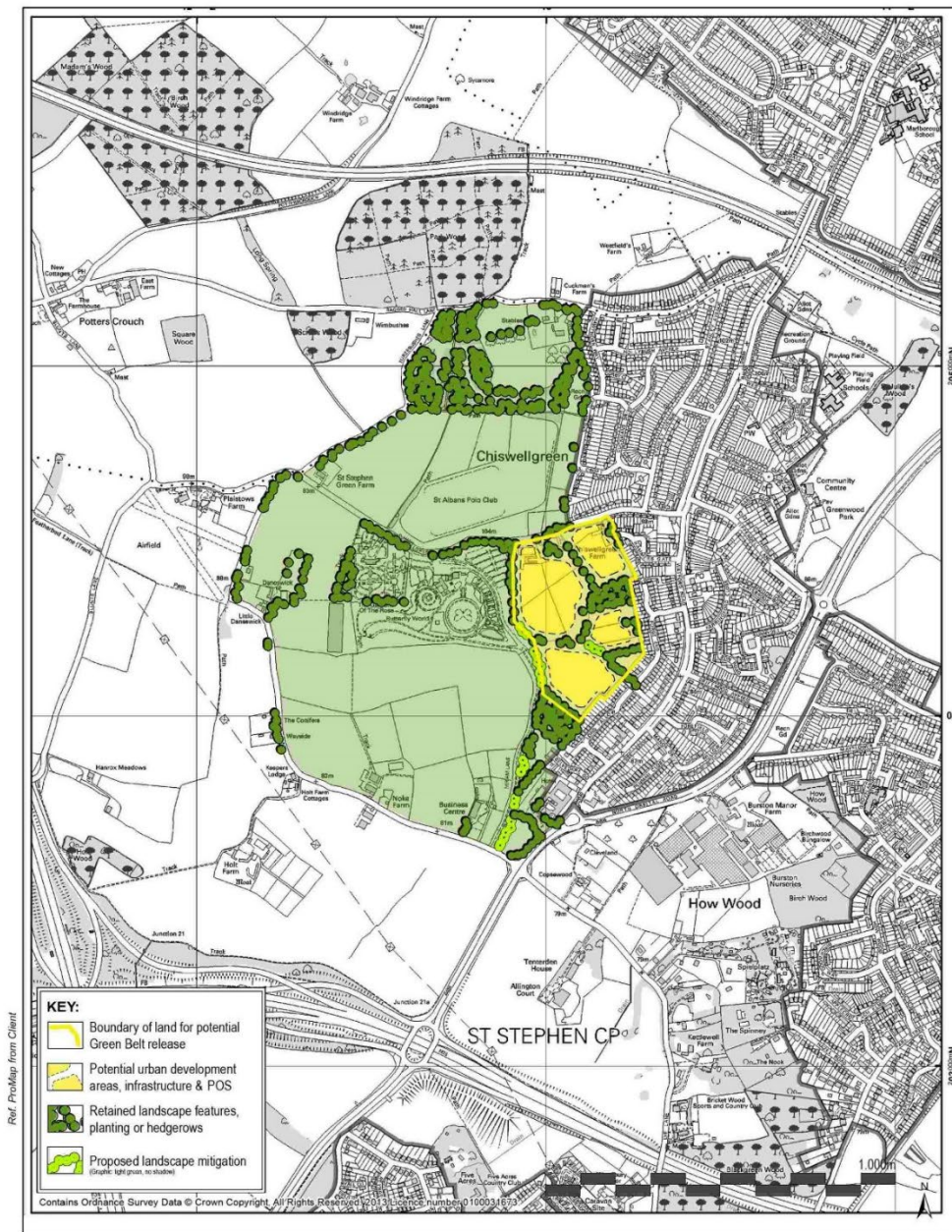
*within the eastern part of the sub-area (between Butterfly World and Chiswell Green) [that is, the Sub-Area and the Appeal Site] due to a combination of local landform and vegetation".*

2.63 Landscape sensitivity is also assessed as lower for the land adjoining the settlement edge of Chiswell Green, that is Sub-Area S8 and therefore the Appeal Site, compared to the higher sensitivity land to the west, which is more open and rural in character and where capacity for accommodating development is reduced as any proposals would be more visually prominent. This is illustrated on Figure 10.1: Landscape and Visual Appraisal, Sub-Area S8: Land at Chiswell Green, included in the SACDC February 2014 Green Belt Review, included in **Appendix LT-6: Published Green Belt Review Extracts**, and provided for ease of reference below:





2.64 The SACDC February 2014 Green Belt Review considers that **"the most appropriate land for potential release from Green Belt for residential led development is the eastern part of the sub-area"** (emphasis added) which coincides with the extent of the Appeal Site, as illustrated on Figure 10.3: Indicative Layout, Sub-Area S8: Land at Chiswell Green, included in **Appendix LT-6: Published Green Belt Review Extracts**, and provided for ease of reference below:



**Sites and boundary study for St Albans City and District Council**

PROJECT: JE30761 STAGE 2  
 DATE: Nov 2013 Rev: Jan14/005  
 SCALE: Indicative

**FIGURE 10.3** Indicative layout Site 8 Land at Chiswell Green



2.65 In addition, Figure 10.3 identifies 'Potential urban development areas, infrastructure and public open space'; and it is of note that these areas broadly correlate with the areas of Residential use (Up to 391 dwellings) - to include roads, parking, and associated infrastructure and incidental areas of open space' on the Land Use Parameter Plan **(CD1.28)**.

2.66 With regard to the contribution of Sub-Area S8 towards Green Belt Purposes, the SACDC February 2014 Green Belt Review concludes:

*"This area of land does not significantly contribute towards any of the five Green Belt purposes. It makes a partial contribution towards safeguarding the countryside from encroachment. It makes a limited or no contribution towards checking sprawl, preventing merging, preserving setting and maintaining the existing settlement pattern".*

2.67 An indicative residential capacity for the Sub-Area is supplied within the SACDC February 2014 Green Belt Review, which assumes that only 60% of the area would be developed for housing, i.e. 9 hectares (ha). It calculates that at 30 dwellings per hectare (dph), 9ha of land would yield 270 dwellings and at 50dph, it would yield 450 dwellings.

2.68 Chapter 11 of the SACDC February 2014 Green Belt Review considers four assessment categories: Green Belt purposes, constraints, integration and landscape sensitivity: which *"enables sites to be ranked in order of relative suitability for potential Green Belt release and future development"*. It ranks the Sub-Area S8 first out of nine sites, that is that *"Site S8 at Chiswell Green is the most suitable site"*, as noted at Paragraph 11.2.4. It also classifies the ranked sites into three tiers in order of their suitability for potential Green Belt release and future development, with Sub-Area S8 falling within Tier 1: *"Tier 1 sites do not significantly contribute towards any of the five Green Belt purposes and are classified as exhibiting 'higher' suitability for at least two of the three categories relating to constraints, integration and landscape sensitivity"*.

2.69 The following is Table 9.1: Performance of sites against all four assessment categories (sites listed in rank order of suitability), extracted from SACDC February 2014 Green Belt Review.

**Table 9.1. Performance of sites against all four assessment categories (sites listed in rank order of suitability)**

ID	Site	A - Green Belt Purposes*			B - Constraints	C - Integration	D - Sensitivity	Tier	Rank
		Significant	Partial	Limited / No					
8	Land at Chiswell Green	0	1	4				1 <sup>st</sup>	1
3	East of St Albans	0	2	3				1 <sup>st</sup>	2
7	Land at London Colney	0	2	3				2 <sup>nd</sup>	3
4	North of St Albans	1	1	3				2 <sup>nd</sup>	4 =
5	Northwest of Harpenden	1	1	3				2 <sup>nd</sup>	4 =
6	Northeast of Harpenden	1	1	3				2 <sup>nd</sup>	6
2b	East of Hemel Hempstead (South)	1	1	3				3 <sup>rd</sup>	7 =
1	East of Hemel Hempstead (North)	1	2	2				3 <sup>rd</sup>	7 =
2a	East of Hemel Hempstead (Central)	0	2	3				3 <sup>rd</sup>	9

\*numbers in relation to 'Green Belt Purposes' refer to the number of Purposes scoring significant, partial and limited or no levels of contribution

2.70 In summary, the SACDC November 2013 Green Belt Review identified Strategic Parcel GB25, within which the Appeal Site forms a small part on the eastern edge of the parcel adjoining the settlement edge of Chiswell Green, as contributing significantly to two of the five purposes of the Green Belt set out in the NPPF. Within Strategic Parcel GB25, a Sub-Area, S8, was identified for further consideration. The SACDC February 2014 Green Belt Review identified Sub-Area S8 as making a limited or no contribution to four of the five purposes of the Green Belt, and a partial contribution to one of the five purposes and, therefore, Sub-Area S8 is ***"considered to make the least contribution towards the Green Belt purposes as compared to all of the nine sites assessed"*** (emphasis added). It indicates a residential

capacity for the Appeal Site of between 270 and 450 dwellings; and ranks **Sub-Area S8 as the highest of nine sites for suitability for release from the Green Belt and future development**. Furthermore, **an area which correlates with the extent of the Appeal Site is identified within Sub-Area S8 'Land for potential Green Belt release'** (emphasis added).

- 2.71 Therefore, not only is Sub-Area S8 identified as the most suitable area within St Albans City and District for release from Green Belt, but within Sub-Area S8, the area correlating with the extent of Appeal Site is identified as the boundary of land for potential Green Belt release and for accommodating urban development areas, infrastructure and public open space.
- 2.72 SACDC's own evidence base identifies the Appeal Site as suitable for release from Green Belt and future development.
- 2.73 This is further supported in the Committee Report **(CD3.4)**. The Committee Report refers to the findings of the SACDC Green Belt Review November 2013 **(CD8.3)** and February 2014 **(CD8.5)**, in Paragraph 6.26.1, Pages 78 to 79.
- 2.74 The Committee Report, in Paragraph 6.26.1, Page 81, goes on to note that the Appeal Site was taken forward through the withdrawn Local Plan 2020-2036, as West of Chiswell Green Broad Location.
- 2.75 Paragraphs 8.3.15 and 8.3.16, at Page 95, of the Committee Report, (emphasis added) then confirms that:

*"The findings of the SKM Green Belt review where it assesses the relevant sub-area against Green Belt purposes represents the most recent published Green Belt review relevant to the application proposal, and it is considered proper to take it into account when considering the application site against Green Belt purposes."*

*"It is noted that in 2 relevant recent appeal decisions (for applications 5/2020/1992 and 5/2021/0423) the Inspector did have regard to the Green Belt review when assessing the proposals against Green Belt purposes. Where the Inspectors did not follow the report, it was not because of the outcome of the previous plan process, but more due to differences in the parcel size assessed in the report compared to the application site. As such, it is considered that the Green Belt review is material insofar as it assesses sites against Green Belt purposes and these Inspector's decisions illustrate that."*

- 2.76 It should be noted that in the case of the Appeal Site, the boundary and extent of the Appeal Site broadly correlate to the area in Sub-Area S8 identified at Figure 10.3 Sub-Area Site 8 [S8]

in the SACDC February 2014 Green Belt Review, and therefore there is no difference in the area considered in the SACDC February 2014 Green Bet Review and the Appeal Site, and therefore there is no reason to diverge from the findings of, or come to different outcomes to, the SACDC Green Belt Reviews.

2.77 At Paragraph 8.3.14, Page 95, the Committee Report (emphasis added) goes on to note that:

***"It is noted that the withdrawn plan has no status for decision making, and that the previous site selection process has no weight, but that the judgments reached in the Green Belt review in relation to Green Belt purposes as part of the evidence base to the plan are relevant for the determination of applications."***

2.78 The Committee Report concludes, at Paragraph 8.3.19, at Page 96, (emphasis added), that:

***"It is noted that the Green Belt or settlement pattern in the wider area has not been significantly changed or eroded since the above Green Belt assessment was made, and it is considered that this assessment remains applicable for S8 and the wider sub-area."***

### 3.0 LANDSCAPE AND VISUAL APPRAISAL OF THE APPEAL SITE

#### Appeal Site Appraisal

- 3.1 The character of the Appeal Site is illustrated on **Figure LT4: Appeal Site Appraisal Plan**, and **Appeal Site Appraisal Photographs A to K**, the locations of which are shown on **Figure LT4: Appeal Site Appraisal Plan**. A description of the Appeal Site is described the BWnS LVIA (**CD2.5**), in Section 6.0: Paragraphs 6.18 to 6.18.
- 3.2 The Appeal Site is set between the prominent western settlement edge of Chiswell Green and development associated with the former Butterfly World, and Gardens of the Rose, to the immediate west.
- 3.3 The covers approximately 14.66 Ha, and is very gently sloping, ranging from levels of approximately 104m AOD at the north-western corner, gently sloping down to around 85m AOD in the southern part of the Appeal Site, reflecting location of the Appeal Site on the western shallow valley side of the River Ver Valley.
- 3.4 The Appeal Site predominantly comprises grazed grassland, with distinct parcels of grassland, Fields 1 – 4, defined by some hedgerows with trees and small woodlands, and further subdivided into paddocks by post and rail or post and wire fencing, as illustrated on **Figure LT4: Appeal Site Appraisal Plan**.
- 3.5 However, the majority of the Appeal Site is subject to the influence of existing built form on-site and immediately adjoining the Appeal Site.
- 3.6 The north-eastern field, Field 1, is influenced by existing development to the north, east and west. Field 1 of the Appeal Site is open to Chiswell Green Lane to the north, with existing residential development on the north side of Chiswell Green clearly visible, as illustrated by **Appeal Site Photographs A, C and E**; along with the substantial residential property and associated buildings located within the north-eastern part of the Appeal Site, and Chiswell Green Farm and associated buildings on the southern side of Chiswell Green adjoining Fields 1 and 2 of the Appeal Site, visible to the east and west as illustrated by **Appeal Site Photographs A, B, and E**. The existing settlement edge of Chiswell Green, in Hammers Gate, is clearly visible, immediately adjoining the eastern boundary of Field 1, set within intermittent boundary vegetation on the boundaries of or within the rear gardens, (T1), with no buffer or mitigation to the existing settlement; as illustrated by **Appeal Site Appraisal Photographs A, B, C, D, and E**.

- 3.7 The north-western field, Field 2, although not adjoining the settlement edge of Chiswell Green, is also influenced by the existing development to the north and east, such as Chiswell Green Farm and associated buildings, and the Chiswell Green Livery, Stables, Menage and Riding School; with views of properties in Hammers Gate and views of properties in Forge End, on the edge of Chiswell Green, as illustrated by **Appeal Site Context Photographs F, G, and H**.
- 3.8 **Appeal Site Appraisal Photograph I** illustrates the character of the south-eastern field, Field 3, again illustrating the visibility of the western edge of Chiswell Green, with prominent views of properties in Forge End and Long Fallow on the eastern boundary of the Appeal Site, without a buffer or planting to mitigate or soften the views of the existing settlement across the Appeal Site or the adjoining countryside.
- 3.9 There are open views east over the south-western field, Field 4, with the properties on the western edge of Chiswell Green Forge End and Long Fallow, again, being prominent on the eastern boundary of the Appeal Site, as illustrated by **Appeal Site Photographs J and K**.
- 3.10 All Fields 1, 2, 3 and 4 have a grazed paddock character, with fencing associated with the subdivision of fields into paddocks. Further clutter, in addition to the existing influence of built form, both on the Appeal Site and adjoining the Appeal Site, is evident across the Appeal Site associated with keeping horses, and garden paraphernalia and outbuildings around residential curtilages and along the eastern boundary adjoining existing residential development on the settlement edge of Chiswell Green.
- 3.11 The **Appeal Site Appraisal Photographs** also demonstrate the enclosed character of the Appeal Site. Whilst the existing settlement edge of Chiswell Green, and development associated with Chiswell Green Farm, is frequently visible and prominent on the northern, eastern, and southern boundary of the Appeal Site, this development, combined with the nature of the landform, generally dropping down into the Ver River Valley, curtails any visibility beyond the immediate Appeal Site boundary, such that the Appeal Site is well contained on its northern, eastern and southern boundaries.
- 3.12 The former Butterfly World and Garden of the Rose separate the Appeal Site from the wider landscape to the west of the Appeal Site. The mounding and maturing structural landscape associated with the access to the former Butterfly World, combined with the existing hedgerow and mature tree belts on the western boundary of the Appeal Site, provide substantial enclosure and containment to the Appeal Site to the west.

- 3.13 As a result, there is only some partial intervisibility between the Appeal Site and the landscape to the south-west, south of the former Butterfly World, as illustrated by **Appeal Site Appraisal Photographs F and K**. However, these limited views out are to a very small extent of the wider landscape, being curtailed by the existing Appeal Site boundary vegetation, and being further limited by the combination of undulating landform and existing vegetation. In addition, these views are affected by the detracting influences of the pylons that cross the landscape to the west of Noke Lane and residential and agricultural built form, again as shown in **Appeal Site Appraisal Photographs F and K**.

### **Landscape Character**

- 3.14 The Appeal Site is partially representative of Landscape Character Area 10: St Stephen's Plateau, defined in the Hertfordshire Landscape Character Assessment, in that it comprises medium scale fields, with the settlement edge of Chiswell Green prominent on the north-eastern, eastern, and southern edges of the Appeal Site, and exerting an urban fringe influence across all the fields. As noted in the 'Visual Impact' section of the description of LCA 10, *"the raw built edges of Chiswell Green and How Wood represent significant suburban impact"*, and this strongly influences the character of the Appeal Site. However, the character of the Appeal Site is not characteristic of the wider LCA 10, as the fields are not open arable fields, but grazed horse paddocks subdivided with post and rail and post and wire fencing, with a high degree of enclosure provided by the surrounding existing settlement on the north-eastern, eastern and southern boundaries and vegetation on the western and south-western boundaries.
- 3.15 The Appeal Site is therefore set part within the existing settlement edge of Chiswell Green, and between the settlement edge of Chiswell Green, and the former Butterfly World and Garden of the Rose both of which are not representative of LCA 10; and is therefore located within the transition from settlement to the east and the wider landscape to the west and south-west, beyond the former Butterfly World and Garden of the Rose. Furthermore, the surrounding landform and vegetation combine to limit the visibility of the Appeal Site from the wider area, thus limiting the influence of the Appeal Site over the more open wider landscape to the further west.

### **Value, Susceptibility and Sensitivity of the Appeal Site**

- 3.16 The BWnS LVIA (**CD2.5**) sets out the methodology for assessing Value, Susceptibility and Sensitivity, with Value and Susceptibility addressed at Paragraphs 2.6 to 2.8 of the BWnS LVIA and Paragraphs 1.13 to 1.19 in Appendix 1 of the BWnS LVIA (also in **CD2.5**). I endorse this approach, and have also adopted this approach in my analysis of landscape character.



- 3.17 The Appeal Site and its immediate context, that is the Appeal Site, the former Butterfly World, and the Garden of the Rose, are not designated for scenic beauty and comprise relatively common components and characteristics. The character of the Appeal Site is affected by the detracting influence of the western settlement edge of Chiswell Green which adjoins the Appeal Site to the north, east and south. There are some positive perceptual aspects, particularly with respect to partial views towards the landscape to the south-west, although these positive aspects are often overridden by negative influences resulting from detracting features, such as the pylons that cross the landscape to the west of Noke Lane. However, the Appeal Site is not publicly accessible, and as such it does not contribute to recreation. The perception of remoteness and tranquillity experienced within the Appeal Site is limited due to its rural-urban fringe location, as well as the limited availability of long distance views. On this basis, as set out in the BWnS LVIA (**CD2.5**), I agree that the landscape character of the Appeal Site is deemed to have **Low value**.
- 3.18 The Appeal Site and its immediate context sit within an urban fringe landscape with a strong relationship with the settlement edge. The Appeal Site interior is partially vegetated, as is the western boundary although it is denuded in places. The Appeal Site not characteristic of the wider LCA 10, as the fields are not open arable fields, but grazed horse paddocks subdivided with post and rail and post and wire fencing, with a degree of clutter associate with horse keeping and its settlement edge and urban fringe location. However, there is strong potential for the improvement of the landscape through mitigation as part of the Proposed Development, in particular, the opportunity to retain, supplement and enhance the western boundary, to soften and mitigate the settlement edge of Chiswell Green on the adjoining countryside. It has a simple, sparse and somewhat fragmented landscape character influenced by its urban fringe location, with existing nearby pylons also exerting urbanising influences. On balance, as set out in the BWnS LVIA (**CD2.5**), I agree that the landscape character of the Appeal Site is considered likely to be able to accommodate the type of development proposed with moderate consequences upon its overall integrity, resulting in **Medium susceptibility**.
- 3.19 As set out in the BWnS LVIA methodology, both at Paragraph 2.9 in the BWnS LVIA and Paragraph 1.20 in Appendix 1 of the BWnS LVA (also in **CD2.5**), *"the sensitivity of a landscape receptor is a combination of the value of the landscape resource and the susceptibility of the landscape receptor to the type of change, or type of development proposed, which is defined as High, Medium or Low. Typically a high value and high susceptibility receptor would result in a receptor of high sensitivity; and a low value and low susceptibility receptor would result in a receptor of low sensitivity"*. Again, I endorse this approach, and have also adopted this approach in my analysis of landscape character, and on this basis, agree that the overall sensitivity is judged to be **Medium sensitivity**.

## Visual Appraisal of the Appeal Site

- 3.20 The visual context of the Appeal Site is illustrated by **Appeal Site Context Photographs 1 – 18**, the locations of which are illustrated on **Figure LT 5: Visual Appraisal Plan**. A description of the visual context of the Appeal Site is described the BWnS LVIA (**CD2.5**), in Section 6.0: Paragraphs 6.19 to 6.34.
- 3.21 In summary, as the Appeal Site sits between the edge of Chiswell Green and development of the former Butterfly World and the Gardens of the Rose, with well-defined boundaries provided by the gardens of residential properties, to the east and south; and Chiswell Green Lane and Miriam Lane, to the north and west, the Appeal Site is visually enclosed within its immediate setting by the combination of existing vegetation and development on or immediately adjoining these boundaries, with the exception of a short section of the northern boundary, where the Site is open to Chiswell Green Lane, as shown in **Appeal Site Context Photograph 4**, which also shows the location of Chiswell Green Farm immediately to the north-east of the Site.
- 3.22 Longer distance views from the north, towards the Site, are screened by extensive intervening woodland between the Site and the A414; with intervening vegetation and rising landform restricting views from the majority of locations to the more immediate north and west of the Site, as indicated by **Appeal Site Context Photographs 5 - 9 and 13 - 18**. In particular, **Appeal Site Photographs 5 and 16** illustrate that, as the Appeal Site is located at a lower elevation to the south, the combination of relatively subtle changes in intervening landform and hedgerow and tree belt cover effectively screens views to the Appeal Site.
- 3.23 The majority of views from the east and south-east are curtailed by the residential development along the eastern and south-eastern boundaries of the Appeal Site, with views being limited to properties directly overlooking the Appeal Site. **Appeal Site Context Photograph 3** illustrates the views westwards towards the Appeal Site from Woodlea largely curtailed by residential properties, with open and partial views only available from the back of properties or rear gardens immediately adjacent to the Appeal Site. **Appeal Site Context Photograph 1** demonstrates the glimpsed to partial views of very limited portions of the Appeal Site that are available from very occasional openings along Long Fallow and Forge End. **Appeal Site Context Photograph 2** demonstrates that views of the Appeal Site from locations in Chiswell Green other than on the very boundary of the settlement are entirely curtailed by the intervening built form.
- 3.24 Views from the west illustrate the more open landscape to the west of the Appeal Site, the former Butterfly World and Garden of the Rose, more limited vegetation cover and existing development. As a result, there are infrequent, partial and glimpsed views from south-west of

the Appeal Site across the southern part of the Appeal Site, where topography and breaks in intervening vegetation allow views. However, these views are limited, seen in the context of views of Chiswell Green, interspersed with vegetation, adjoining the Appeal Site to the east and south-east, seen across the more open agricultural land to the west of the Appeal Site, as illustrated by **Appeal Site Context Photograph 10 - 12**.

- 3.25 Paragraphs 6.27 to 6.34 of the BWnS LVIA (**CD2.5**) identify the limited visual receptors that are likely to have, albeit generally limited, views towards the Appeal Site, and value, susceptibility and sensitivity of the visual receptors, a summary of which is set out in Table 6.1, at Paragraph 6.34 for the BWnS LVIA, and is provided below:

<b>Receptor</b>	<b>Value</b>	<b>Susceptibility</b>	<b>Sensitivity</b>
Residents of properties on the settlement edge of Chiswell Green	Low	High	Medium
Users of Chiswell Green Lane	Low	Medium	Medium
Users of Long Fallow, Forge End and Woodlea	Low	Low	Low
Pedestrians on PRoW St Stephen 082	Low	High	Medium
Pedestrians on PRoW St Stephen 028	Low	High	Medium
Pedestrians on PRoW St Stephen 022	Low	High	Medium
Workers at the commercial estate on Miriam Lane	Low	Low	Low

- 3.26 Therefore, as a result of the containment provided by the existing adjoining residential development on the settlement edge of Chiswell Green to the immediate north, east and south; the presence of the former Butterfly World and Garden of the Rose to the west; the robust vegetation along the majority of the western boundary of the Appeal Site; and the combination of landform and the existing landscape structure of hedgerows, woodland and tree cover to the west of the Appeal Site; the visibility of the Appeal Site is limited to medium sensitivity views from the immediate locality, that is residential properties and roads immediately adjoining the Appeal Site, and a few infrequent partial and glimpsed views from south-west, where topography and breaks in intervening vegetation allow views to the southern part of the Appeal Site.

## 4.0 LANDSCAPE AND VISUAL APPRAISAL OF THE PROPOSED DEVELOPMENT

### Design Rationale for Proposed Development

4.1 The Proposed Development includes:

- Up to 391 homes (of which 40% will be affordable);
- 3% Self-Build Plots;
- Land to enable HCC to construct a 2FE Primary School;
- Green Infrastructure;
- Publicly accessible open space;
- Publicly accessible children's play space; and
- A sustainable form of development.

4.2 The residential component of the Proposed Development will be divided into two residential parcels separated by a Green Core at its centre. It is currently proposed to provide three vehicular accesses into the Appeal Site. Two of these will be on Chiswell Green Lane and will predominantly serve the northern parcel residential development and the future primary school, as illustrated by the Access and Movement Parameter Plan (**CD1.15**), **Figure LT7: Landscape Framework Plan** and **Figure LT8: Publicly Accessible Green Space Strategy Plan**. The access to the southern parcel will be provided via an existing access off the northern end of Forge End which in connect with the western edge of the settlement of Chiswell Green. Secondary pedestrian/cycle/emergency access will be provided on Forge End and Long Fallow.

4.3 Again, it is of note that the distribution of the proposed development parcels and green space as set out on **Figure LT7: Landscape Framework Plan** and **Figure LT8: Publicly Accessible Green Space Strategy Plan** broadly correlate with the recommendations for the eastern part of Site S8, as set out on Figure 10.3: Indicative Layout Site S8 land at Chiswell Green, in the SACDC Green Belt Review February 2014 (**CD8.5**), and which still remains applicable for Site S8 and the wider sub-area.

4.4 Proposed housing on the Appeal Site would be set within the existing landscape framework of retained boundary vegetation, supplemented, and enhanced by additional structure planting and public spaces, again as illustrated on **Figure LT8: Publicly Accessible Green Space Strategy Plan**. The new publicly accessible spaces would include the creation of a central green spine of canopy trees forming an avenue along the main route through the Appeal Site. Feature trees will be utilised at the entrances to the site to highlight arrival points, and to act

as informal wayfinders. Narrow canopy trees will be used along the northern and southern extents of the spine to reflect the hierarchy of movement. Broad canopy trees will be utilised at the Green Core of the Appeal Site to reflect the change in character associated with this area. The open space will contain a variety of parkland trees, native and ornamental, to reflect the change in character from built form to open space, and to provide ecological benefits. A wide variety of species will be used, to maximise longevity and adaptability to climate change as well as disease resilience. Tree planting locations will be designed around the site constraints, such as services, and the design requirements of the adoptable highway, such as visibility splays and lighting.

- 4.5 The green spine would connect a series of publicly accessible green spaces, including the Green Core, community play areas, and an orchard, with these spaces associated with swales and attenuation ponds, large trees and deep planting.
- 4.6 Additional structural vegetation will be implemented to reinforce and enhance existing boundary vegetation to form a defined settlement edge and new Green Belt boundary that would be recognisable on the ground.
- 4.7 Development of the Appeal Site would contribute to the existing network of Green Infrastructure and has the potential to expand the existing levels of public access in the vicinity of the Appeal Site and increase accessibility to the remaining Green Belt.
- 4.8 An indicative residential capacity for S8: Land at Chiswell Green is included within the SACDC February 2014 Green Belt Review (**CD8.5**), which assumes that only 60% of the area would be developed for housing, i.e. 9 hectares (ha).
- 4.9 The Land Use Parameter Plan identifies the areas for the development parcels, and for retained vegetation, and retained and proposed open space, and this allows for a maximum of 59% of built development (and 41% of corresponding land largely retained free from built form), with residential development incorporating Green Infrastructure and open space networks, as referred to in the Committee Report at Paragraph 8.5.12, Page 103:

*"It is noted that the NoC confirms that additional areas of GI/open space (not currently) shown on the land use plan will be provided within the residential areas at the detailed design stage. On the land use plan it is requested if the key for 'Residential Use' can be amended to clarify that the area will include networks of GI and open space".*

## Landscape Strategy

- 4.10 The overarching principles for the landscape strategy would provide a framework for development on the Appeal Site that reflects the local characteristics and responds to the guidance set out in the Hertfordshire Landscape Character Assessment for the St Stephen's Plateau LCA 10, including through hedgerow restoration following the pattern of historic field boundaries, providing visual and ecological links between existing woodland areas; creation of smaller copses linking with hedgerow restoration on the open arable areas, emphasising topographical variation; and broadening the range of recreational opportunities.
- 4.11 The following mitigation proposals have been included within the design rationale for the Appeal Site, in order to allow development to relate sensitively to the existing landscape:
- Retention of the existing field boundary vegetation, strengthened and enhanced through planting on the internal edges, which would form the new Green Belt boundary and a strong settlement edge;
  - Creation of accessible wildflower grassland and woodland areas;
  - Creation and establishment of a green spine through the Site, linking to existing landscape features;
  - Enhancements to the local ecology and Site wide biodiversity as well as public accessibility of the remaining Green Belt; and
  - Provision of attenuation features within the open spaces of the Site.
- 4.12 Again this accords with the guidelines for managing change for LCA 10: Stephen's Plateau most relevant to the proposed development, and as highlighted by the HCC Landscape Officer, including promoting hedgerow restoration and creation throughout the area, providing visual and ecological links between existing and proposed woodland areas, incorporating the pattern of historic field boundaries with the Proposed Development where possible, visually integrating the urban fringe within a landscape framework, re-establishing a rich ground flora, and promoting appropriate woodland and hedgerow management, as a comprehensive approach to the management of the retained and proposed landscape framework.
- 4.13 The following aims of the Landscape Strategy, in response to an understanding of the Appeal Site and its context, are set out on **Figure LT8: Publicly Accessible Green Space Strategy Plan**:
- Integrate the proposed built form with that of Chiswell Green to the east, providing a new boundary to the Green Belt to the west

- Provide a positive outlook for existing residents of Hammers Gate and Forge End
- Enhance the attractiveness and sense of place of the Proposed Development through creation of a landscape framework of green infrastructure
- Retain and enhance existing features including healthy trees and hedgerows
- Enhance the biodiversity and ecological value of the Appeal Site through establishment of a network of species rich habitats
- Provide an attractive and accessible wetland habitat integrating SuDS on the southern part of the Appeal Site.
- Provide an attractive central open space as a focus for the Proposed Development.

4.14 In order to provide variety and interest across the Appeal Site, and through the Proposed Development, and to enable a strong landscape response to the existing characteristics and future uses, a landscape character area strategy has been established, with five areas identified:

- Area 1: Central Hub/Green Core
- Area 2: Southern Space – Swale/Meadow
- Area 3: Orchard
- Area 4: Community Play to Front of School
- Area 5: Strategic/Community Amenity Area

4.15 In addition, the Landscape Strategy aims to strengthen the western boundary of the Appeal Site, to enhance the existing defensible boundary with the reinforcement of the framework of vegetation and provide substantial visual screening along the western edge of Chiswell Green.

4.16 The Proposed Development has been considered with reference to the National Design Guides **(CD7.11)**, with reference to Outline Proposals, in that it has considered, in particular, context, identity, built form, movement, nature, public spaces, uses and homes and buildings; to create a well -designed place, with attention given to layout, form, scale, appearance, landscape and materials; and inform characteristics that reflect the positive attributes of the surroundings, and contribute to a sense of community.

4.17 During consultation on the Outline Planning Application, the HCC Landscape Officer raised concerns regarding the width of the proposed western boundary planting. Following further discussions, the Land Use Parameter Plan **(CD1.5)** was amended to include a landscape buffer down the entire western boundary, providing a more robust landscape response and clear defensible barrier between the [Appeal] Site and the wider open countryside beyond Miriam Lane, as illustrated on the Revised Land Use Parameter Plan **(CD1.28)**.

4.18 The Committee Report (**CD3.4**) confirms, at Paragraph 8.5.13 Page 103, that:

*"... the western landscape buffer would be a minimum width of 5m, with the final width of the buffer determined through reserved matters application(s), taking into account site specific conditions (including the protection of any existing vegetation) and the requirement to deliver effective landscape and visual mitigation. The western landscape buffer included in the Land Use Parameter Plan ranges from 5m to approximately 13m in depth, whilst the area of landscaping to the south of the site is around 25.5m deep. The Land Use Parameter Plan includes a note outlining the details of the landscape buffer to ensure it would be safeguarded."*

4.19 The Committee Report, at Paragraph 8.5.15 Page 104, also makes reference to other comments made by the HCC Landscape Officer, but acknowledges that the comments were:

*"on more detailed design matters ... , however these matters would be dealt with at reserved matters stage rather than through this outline permission (as has been noted in the subsequent HCC Landscape comments on the application)."*

4.20 The Committee Report, at Paragraph 8.5.14 Page 104, concludes that:

*"HCC Landscape has confirmed that they have no outstanding concerns with the proposals."*

### **Summary from Landscape and Visual Effects**

4.21 The BWnS LVIA submitted with the Outline Planning Application assessed the Proposed Development based on the following Parameter Plans:

- Land Use Parameter Plan (**CD1.5**)
- Access and Movement Parameters Plan (**CD1.6**)
- Building Height Parameter Plan (**CD1.7**)

4.22 The BWnS LVIA was undertaken based on the building heights set out on the Building Heights Parameter Plan (**CD1.7**), which set the maximum buildings heights at 10.5m for up to 2.5 storey buildings, 12.8m for up to 3 storey buildings, and 15.5m for a school building.

4.23 However, following consultation responses from the SACDC Design and Conservation Officer on the Outline Planning Application, the building heights have been reduced, and a revised Building Heights Parameter Plan submitted (**CD1.25**), which sets out the following reductions: maximum buildings heights for up to 2.5 storey buildings reduced from 10.5m to 9.8m, for up



to 3 storey buildings reduced from 12.8m to 11.5m, and the school building reduced from 15.5m to 11m.

- 4.24 Therefore, in summary, the BWnS LVIA recorded the following landscape and visual effects; however, these are based on the original higher building heights, and therefore are likely to be greater than the revised Outline Planning Application proposals.
- 4.25 Notwithstanding this, it is of note, as recorded at Paragraphs 8.5.8 and 8.5.9, Page 103, of the Committee Report (with emphasis), that the:

*"HCC Landscape commented on the LVIA, noting that the conclusion of the landscape assessment is broadly supported, providing that effective mitigation is delivered through more robust landscaping along the western edge of the site. It was noted that the [Appeal] Site is contained within a distinct parcel of grassland, the settlement edges to the north, east and south, and the highways of Chiswell Green Lane to the north and Miriam Lane to the west, provide a distinct limit to the extension of the settlement."*

*"HCC Landscape also stated that the conclusion of the visual assessment is broadly supported providing that effective mitigation is delivered through more robust landscaping along the western site boundary. It was also noted that the viewpoint assessment shows that the area from which the development is actually visible is relatively localised, due to the screening effect of the wider intervening sloping topography and vegetation."*

- 4.26 As noted, through subsequent discussion with the HCC Landscape Officer, the Land Use Parameter Plan has been revised to illustrate an increased landscape buffer to the western boundary as indicated on the Revised Land Use Parameter Plan **(CD1.28)**.
- 4.27 The HCC Landscape Officer raised a few other queries with regard to the LVIA, notably the extent to which the proposals for the school site had been assessed in the LVIA and the provision of photomontages to support the LVIA. A subsequent LVIA Note of Clarification (NoC) **(CD2.37)** was provided, which confirmed that the LVIA was based on an assessment of the Land Use Parameter Plan **(CD1.5)** and Building Heights Parameter Plan **(CD1.7)**, such that the maximum height and extent of the proposals for the school were assessed, and whilst there was no explicit reference to the school proposals, the Committee Report confirmed at Paragraph 6.12.2, Page 55, that

*"... however, it is understood that its associated parameters have informed the judgement of effects and should therefore represent worst case scenario. It is therefore suggested the level of assessment provided is adequate at this outline stage, however a site level landscape and visual analysis will be required for the school site when it comes forward".*

4.28 Again, the Committee Report notes, at Paragraph 6.12.2, Page 56, that:

*"At the pre-application stage it was suggested that photomontages should be provided to illustrate proposed views, however none have been provided. Photomontages would be useful to demonstrate the impact of the proposed landscape and visual mitigation measures."*

4.29 Subsequently, an accurate verified Wireline Photomontage, prepared by Realm Visualisation Consultants, included with **Appendix LT - 4**, illustrating the view from **Appeal Site Context Photograph 10**, based on the Land Use Parameter Plan (**CD1.5**) and Building Heights Parameter Plan (**CD1.7**) was submitted to SACDC, as part of the NoC (**CD2.37**). The Committee Report (**CD3.4**) acknowledges that the NoC satisfactorily addresses this point. In addition, following the subsequent reduction in building height, through discussion with the SACDC Design and Conservation Officer, an accurate verified photomontage has been prepared, again by Realm Visualisation Consultants, included in **Appendix LT-5**, based on the revised Land Use Parameter Plan (**CD1.28**) and the revised Building Heights Parameter Plan (**CD1.25**), and the Illustrative Masterplan (**CD2.27**)

4.30 The Committee Report (**CD3.4**) at Paragraph 8.5.13, Page 103, notes that

*"In light of the above discussion, the landscape and visual impact of the proposed development is considered acceptable. Nevertheless, it is considered that the introduction of built form across the existing fields would cause some harm to the local landscape character, to which some limited weight is given."*

4.31 Considering the general agreement with regard to the findings of the LVIA the following provides a summary of the landscape and visual effects as set out in the LVIA.

### **Visual Effects**

4.32 Paragraph 8.30 of the BWnS LVIA notes that the local topographical variation and vegetation in the vicinity of the Appeal Site provides it with a high level of physical and visual screening that would limit visibility of the Proposed Development to those locations immediately adjacent to the Appeal Site, and only two locations have been identified that would have medium range or long distance glimpsed to partial and filtered views of the Proposed Development.

4.33 Views from the immediate locality are limited to residents in properties on the immediate settlement edge of Chiswell Green; and users of roads immediately surrounding the Appeal Site, that is Chiswell Green Lane, Long Fallow, Forge End, Woodlea and Miriam Lane.

- 4.34 The medium range views refer to medium range views from PRow 028, only from locations where topography and breaks in the intervening vegetation allow views, and at a distance of over 460m. The BWnS LVIA notes, at Paragraph 8.24, that where available at all, for the most part only rooftops are likely to be seen, and will make up only a very limited proportion of the extent of views. The Proposed Development will be seen from only a small proportion of the length of this footpath, and it will be seen in the context of other residential and agricultural built form within the field of view, such that it will not be an uncharacteristic feature in views experienced by these receptors, with a very small magnitude of effect, resulting in a negligible adverse effect. The BWnS LVIA goes on to note that the proposed landscape strategy, in particular the restoration and reinforcement of the western [Appeal] Site boundary, will have become established by Year 15, substantially softening and integrating the introduced built form into its landscape context, reducing the effect by Year 15 to Neutral.
- 4.35 The long distance views refer to views from PRow St Stephen 022, which would have at most glimpsed long distance views of the Proposed Development, at a distance of over 450m. The BWnS LVIA, at Paragraph 8.26, notes that, where seen at all, the built form would likely be perceived only indistinctly through the winter tracery of intervening mature trees to the south of the [Appeal] Site. Residential, agricultural and commercial development are already common features in the vicinity of the [Appeal] Site in views from this location, such that any visibility of the Proposed Development would amount to the introduction of entirely characteristic elements. The magnitude of effect will be Very Small, and the very limited extent of the view affected will lead in this case to a Negligible Adverse effect. The BWnS LVIA goes on to note that by Year 15, the establishment of a substantial number of canopy trees, including a high proportion of native species, will have the effect of further reducing the perceptibility of the Proposed Development within views from this footpath, reducing the overall effect on visual amenity to Neutral.
- 4.36 Paragraph 8.31 of the BWnS LVIA further notes that where the Appeal Site is visible, including from residential properties and roads to the north and east of the Appeal Site, from footpaths to the north, west and south of the Appeal Site, and from commercial and agricultural properties to the north-east and west of the Appeal Site, the Proposed Development would be partially visible, predominantly in filtered views through intervening vegetation. However, it would be supplemented by the comprehensive but sympathetic landscape strategy which would deliver substantial tree planting throughout and a restored and reinforced western boundary of the Appeal Site to create a robust settlement edge.
- 4.37 The BWnS LVIA concluded, at Paragraph 9.5, and as referred to in the Committee Report at Paragraph 8.5.7 (**CD3.4**), that:

*"a visual appraisal has been undertaken which demonstrated that whilst the [Appeal] Site is visible in glimpsed to partial close-range views from a limited number of roads, PRoW and residential properties that lie in close proximity to the [Appeal] Site, due to a combination of vegetation and containing settlement pattern, the visual envelope of the [Appeal] Site is restricted to these close range views and very few medium range and long distance views from vantage points within the wider landscape to the west and south".*

### **Landscape Character**

- 4.38 Paragraph 8.14 of the BWnS LVIA notes that the Proposed Development within the Appeal Site would introduce housing to an area of land on the western edge of Chiswell Green, which would result in the loss of a small area of pasture of limited ecological value and a pronounced change to the character of the Appeal Site. However, the Proposed Development would directly relate to the existing settlement edge, and reinforce the settlement pattern by rationally rounding it off. It would also provide an opportunity to create a robust and permanent boundary to the settlement, and thus assimilate it into the immediate and wider context.
- 4.39 Paragraph 8.15 of the BWnS LVIA notes that the Proposed Development includes a central green spine connecting publicly accessible green spaces, as well as the restoration and reinforcement of the western boundary, enabling the creation of a strong settlement edge with a clear transition to the countryside to the west. All these elements would improve the connectivity of existing landscape features, increase the accessibility of the landscape and strengthen the amenity value of the Appeal Site. The delivery of a comprehensive landscape framework on the Appeal Site would help to improve the contribution of the Appeal Site to the local sense of place and reinforce local identity.
- 4.40 The BWnSLVIA acknowledges that at Year 1 there would be a major adverse effect to the landscape character of the Appeal Site, reducing to a neutral effect at Year 15. The BWnS LVIA also records a minor adverse effect on LCA 10: St Stephen's Plateau in Year 1, reducing to negligible adverse at Year 15, and a negligible adverse effect on NCA 111: Northern Thames Basin at Year 1, reducing to a neutral effect at Year 15. Therefore, in summary, as set in Paragraph 9.11 of the BWnS LVIA, and quoted in the Committee Report, **(CD3.4)**, Paragraph 8.5.7, Page 102:

*"The Proposed Development would not cause any substantial changes to the character of the landscape within the [Appeal] Site or the wider area but would extend the existing settlement edge into the [Appeal] Site. The new residential development would be at an appropriate location and of an appropriate scale to be successfully assimilated into the existing settlement of*

*Chiswell Green, with limited effect on the wider landscape to the west."*

- 4.41 The Committee Report, at Paragraph 8.5.7 Page 102, refers to the summary of the BWnS LVIA, at Paragraph 9.17, which states that:

*"In summary, while the Proposed Development will result in some significant adverse landscape and visual effects, these relate only to Year 1, with the level of adverse effect significance typically diminishing rapidly as the landscape proposals become established. No significant (i.e. major or moderate) adverse residual effects will remain following establishment of the planting, and there will be residual beneficial effects that are significant for two receptors [that is hedgerows and trees]."*

- 4.42 The Committee Report, with regard to landscape character, concludes at Paragraph 8.5.17 Page 104, that:

*"In light of the above discussion [with the HCC Landscape Officer], the landscape and visual impact of the proposed development is considered acceptable. Nevertheless, it is considered that the introduction of built form across the existing fields would cause some harm to the local landscape character, to which some limited weight is given."*

## 5.0 REASON FOR REFUSAL 1: GREEN BELT

### **Alleged Harm to the Green Belt Openness and purposes relating to the encroachment into the countryside, urban sprawl and merging of towns.**

5.1 With regard to alleged harm to the Green Belt, RfR 1 makes reference to the following purposes of the Green Belt:

- 1) *"To check the unrestricted sprawl of large built-up areas;*
- 2) *To prevent neighbouring towns merging into one another;*
- 3) *To assist in safeguarding the countryside from encroachment; .."*

5.2 The following purposes are not cited in RfR 1:

- 1) *"To preserve the setting and special character of historic towns; and*
- 2) *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land"."*

### **Green Belt Purposes 4 and 5**

5.3 The contribution that the Appeal Site makes to Purpose 4 was assessed in the BWnS Green Belt Review (**CD2.6**), concluding that the Appeal Site makes '**No Contribution**' to Purpose 4, as set out in Table 9.1: Assessment of Contribution of the Appeal Site to the Purposes of the Green Belt, qualifying this in stating that:

*"The [Appeal] Site does not abut an identified historic settlement core. Therefore, the [Appeal] Site does not protect any land which provides immediate or wider context [setting] for a historic town or any views or vistas between any such town and the surrounding countryside".*

5.4 In summary, I agree that the Appeal Site makes no contribution to Purpose 4 as the Appeal Site does not abut, nor is in the locality of an identified historic settlement core, and therefore makes no contribution to the setting or special of an historic town, either in the immediate or wider context, or any views or vistas between any historic town and the surrounding landscape. Furthermore, other historic designations within the context of the Appeal Site, such as Conservation Areas, Listed Buildings, Registered Parks and Gardens, within the wider landscape setting of the Appeal Site, are generally at distance to the Appeal Site, with intervening development or broad swathes of landscape and woodland providing separation, such that the Appeal Site does not fall within the settings of, or contribute to special character of these

designations and, therefore, nor would Proposed Development on the Appeal Site affect the setting or special character of an historic town or these designations.

5.5 The Committee Report **(CD3.4)** likewise states, at Paragraph 8.3.22 (d), Page 97, that:

*"It is not considered that the development of this [Appeal] Site would have any impact on the setting and special character of the historic core of St Albans. No harm is identified in relation to this purpose."*

5.6 The findings of the BWnS Green Belt Review, and the appraisal of the landscape and visual context of the Appeal Site, with regard to Purpose 4, are substantiated by the assessment set out in the Committee Report, and justified in that Purpose 4 is not cited in RfR 1.

5.7 With regard to Purpose 5, this purpose is generally discounted from assessments of the contribution that land within Green Belt makes to the function of Green Belt as the notion that the presence of Green Belt assists regeneration is a generalisation.

5.8 The BWnS Green Belt Review Methodology, set out in the BWnS Green Belt Review **(CD2.6)**, discounts Purpose 5, as set out in the Green Belt Review Methodology at Paragraph 2.3, on the basis that:

*"With respect to the fifth purpose of the Green Belt "to assist in urban regeneration by encouraging the recycling of derelict and other urban land", should the [Appeal] Site be brought forward for development it would not prejudice derelict or other urban land being brought forward for urban regeneration. The principle of retaining land within the Green Belt holds true for all areas within the Green Belt, therefore the [Appeal] Site is considered to make the same contribution to this purpose of the Green Belt as any other land parcel within the Green Belt. Accordingly, no additional specific assessment is undertaken."*

5.9 The SACDC Green Belt Review, November 2013, **(CD8.3)** also discounts Purpose 5, at Paragraph 4.1.7, acknowledging that:

*"The fifth purpose has been discounted from a number of studies. The notion that the presence of Green Belt assists regeneration is a generalisation. Fulfilment of this purpose can be inferred where nearby development projects have occurred on previously development land, but this inference raises two questions.*

- *Firstly, would that development have otherwise occurred in the part of the Green Belt being assessed (i.e. if it were not Green Belt), or on another part of the Green Belt?*
- *(i.e. Is this specific part of the Green Belt performing the fifth function?)*

- *Secondly, if there have been no nearby projects on previously developed land, does this mean that the Green Belt designation does not assist regeneration, or that other factors (for example, the land market) are preventing land recycling opportunities from coming forward for development?*

5.10 It goes on to conclude, Paragraph 4.1.8, that:

*"Therefore it is impossible to judge how a specific part of the Green Belt contributes to local regeneration even though it might be assumed that preventing development on greenfield sites (across an area) will result in more development being directed, necessarily, to brownfield sites."*

5.11 With regard to Purpose 5 the Committee Report **(CD3.4)** states, at Paragraph 8.3.22 (e), Page 97, that:

*"It is not considered that the development of this [Appeal] Site would in itself prevent or discourage the development of derelict and other urban land in the District. The Council does not have any significant urban sites allocated for development, and whilst sites may come forward via a new Local Plan, this process cannot be afforded any material right in decision making. No harm is identified in relation to this purpose."*

5.12 Therefore, even if Purpose 5 was considered, I agree with SACDC Officers in that no harm would be identified in relation to Purpose 5.

### **Openness and Green Belt Purposes 1, 2, and 3**

5.13 Whilst RfR 1 cites alleged harm to Purposes 1, 2, and 3 of the Green Belt, the SACDC Statement of Case **(CD5.2)**, at Paragraph 6.10, only makes reference to the Proposed Development for the Appeal Site being in conflict with the purposes of the Green Belt as set out in Paragraph 138 of the NPPF **(CD7.1)**: (1) to check the unrestricted sprawl of large built-up areas, that is Purpose 1, and (2) to assist in safeguarding the countryside from encroachment, that is Purpose 3. There is no reference to Purpose (2): To prevent neighbouring towns from merging.

5.14 However, I will consider the alleged harm to the openness of the Green Belt, and alleged harm to Purposes 1, 2, and 3.

### **BWnS Green Belt Review**

5.15 Notwithstanding that SACDC own evidence base identifies that the Appeal Site is suitable for release from Green Belt and future development, as also confirmed in the Committee Report



**(CD3.4)**, I will set out the findings of the BWnS Green Belt Review, with which I generally agree.

- 5.16 The BWnS Green Belt Review, February 2022, **(CD2.6)**, assessed the Appeal Site against the purposes of the Green Belt and assessed the contribution of the Appeal Site to the Openness of the Green Belt.

### **Openness**

- 5.17 The *"essential characteristics of Green Belts is their openness and their permanence"*, as identified in Paragraph 137 of the NPPF **(CD7.1)**. Built form already covers 4% of the Appeal Site, therefore, the Appeal Site exhibits some limited components of development that reduce the physical openness of the Appeal Site, that is land free from development.
- 5.18 'Openness' is defined as *'the degree to which an area is primarily unaffected by built features, in combination with the consideration of the visual perception of built features. In order to be a robust assessment, this should be considered from first principles, i.e. acknowledging existing structures that occur physically and visually within the area, rather than seeing them as being 'washed over' by the existing Green Belt designation'*, as set out in the BWnS Green Belt Review Methodology **(CD2.6)**. The SACDC Green Belt Review November 2013 **(CD8.3)** defines *'openness'* as the *"absence of built development or other urbanising elements (not openness in a landscape character sense- topography and woodland / hedgerow cover)"*.
- 5.19 The Proposed Development on the Appeal Site will inevitably result in an increase in built development on the Appeal Site with the corresponding reduction in openness. However, substantial areas of the Appeal Site will be retained free from built form, as part of the Green Infrastructure framework within which to accommodate the proposed residential development, and playing fields and sports pitches associated with the proposed primary school. Approximately 41% of the Appeal Site will remain open, as illustrated on the Lands Use Parameter Plan **(CD1.28)**. Therefore, there will be a reduction in openness of the Green Belt on the Appeal Site, as there would be for the development of any greenfield site within the Green Belt.
- 5.20 In terms of the visual openness of the Appeal Site, as noted in Section 3.0: Appraisal of the Appeal Site, the Appeal Site is divided into four distinct parcels, defined by hedgerows with trees and small woodlands, and further divided into paddocks by post and rail and post and wire fencing, providing varying degrees of enclosure within the Appeal Site. The existing

vegetated field boundaries truncate views between the various fields within the Appeal Site as well as limiting intervisibility between the Appeal Site and the remaining Green Belt to the west. Views from the settlement edge towards parts of the Appeal Site and towards the wider Green Belt beyond are also interrupted in part by the existing field boundary vegetation.

- 5.21 In addition, any appreciation of openness of the Appeal Site is limited to the immediate locality of the Appeal Site. The existing residential development on the settlement edge of Chiswell Green to the north in part, east, and south of the Appeal Site effectively tightly contains the Appeal Site, with no perception of the openness of the Appeal Site beyond the roads and residential properties that immediately adjoin the Site. Likewise, the existing western boundary vegetation and the existing development at the former Butterfly World, including the mounding and maturing structure planting along the access, Miriam Lane, combine to provide enclosure and containment, such that to openness of the Appeal Site is not generally appreciated beyond the Appeal Site from the Green Belt and countryside to the west of the Appeal Site.
- 5.22 The loss of openness on the Appeal Site arising from the Proposed Development would, therefore, only be perceived from a small extent of the Green Belt and countryside to the west and south-west, where there are infrequent, partial and glimpsed views towards upper parts of the Proposed Development on the Appeal Site, where the combination of landform and more limited vegetation cover allow views to the east, as illustrated by **Appeal Site Context Photograph 10**, the location of which is illustrated on **Figure LT5: Visual Appraisal Plan**. However, these limited views are seen in the context of views of Chiswell Green, interspersed with vegetation adjoining the Appeal Site to the south and south-east, seen across the more open agricultural land to the west of the Site as illustrated by **Appeal Site Photographs 10 - 12**.
- 5.23 Therefore, I am of the opinion that the Appeal Site exhibits a limited perception of openness beyond the extent of the Appeal Site due to the restricted extent of visual connection to the wider landscape. The existing western boundary vegetation would be retained and enhanced, and this would serve to contain introduced built forms on the Appeal Site and thus limit any further impact upon the openness of the Green Belt beyond the Appeal Site. As a result, there would be some loss of physical and perceptual openness on the Appeal Site, as would be inevitable on the development of any greenfield site. The loss of physical openness would arise from development of 59% of the Appeal Site compared with the current 4%, and some loss of perceptual openness, which would be limited to the Appeal Site and its boundaries. This would result in **moderate harm with regard to the physical, or spatial, openness of the Green Belt, but this would be restricted to the Appeal Site itself, with no effect on the physical openness and a barely perceptible to no effect on the visual openness of the remaining Green Belt to the south-west and west.**

- 5.24 This accords with the opinion of the SACDC Officers, regarding the effect on the openness of the Green Belt, as set out in Paragraphs 8.3.7 to 8.3.9, Page 94, which state that:

*"The construction of up to 391 dwellings plus associated infrastructure on the site would clearly represent a significant permanent loss of openness in spatial terms to this part of the Green Belt, contrary to the aforementioned fundamental aim of Green Belt policy to keep land permanently open. This is the spatial aspect of openness referred to in the part of the NPPG quoted above. [See Section 2.0 of my Evidence, at Paragraph 2.9] In relation to the visual aspect of openness, regard must be had to the Landscape and Visual Impact Assessment (LVIA) submitted with the application, in so far as it relates to the impact of the development on the openness of the Green Belt. As set out in detail in the relevant section below, HCC Landscape officers consider the submitted LVIA to provide an adequate level of assessment at this outline stage, however a site level landscape and visual analysis would be required for the school site when it comes forward, if this application is approved. Officers are of the view that the LVIA demonstrates a low level of impact on the perception of open Green Belt countryside to the north and west. This means that whilst there is spatial harm to openness as a result of the proposals, there is no additional harm to openness as a result of the limited visual impact on the openness of the Green Belt."*

- 5.25 Furthermore, Proposed Development on the Appeal Site would provide a new clearly defined boundary to the Green Belt based on existing retained physical features, strengthened and enhanced, such that they would be permanent, long term and enduring, reflecting an essential characteristic of the Green Belt, and as required by Paragraph 140 of the NPPF, and Paragraph 143 Points (e) and (f) of the NPPF, which state with regard to Green Belt boundaries that plans should:

*"be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and define boundaries clearly, using physical features that are readily recognisable and likely to be permanent".*

**Purpose 1: To check the unrestricted sprawl of large built-up areas**

- 5.26 With regard to Purpose 1: To check unrestricted sprawl of a large built-up area, the Appeal Site is assessed in the BWnS Green Belt Review as making '**No Contribution**' to Purpose 1, qualifying this assessment, in Table 9.1, stating that:

- *The [Appeal] Site is not within the vicinity of any large-built up areas. Therefore, it does not act as an effective barrier against sprawl from any such large built-up areas. Neither does it contribute, as part of a wider network of parcels, to a strategic*

*barrier against the sprawl of any such built-up areas. The Proposed Development will be a well-designed extension to the settlement, providing a rational rounding-off of the settlement morphology, such that it would not constitute sprawl.*

- 5.27 *'Sprawl'* is defined as "the outward spread of a large built-up area in an incoherent, sporadic, dispersed or irregular way", as set out in the BWnS Green Belt Review Methodology **(CD2.6)**. Likewise, in the SACDC Green Belt Review November 2013 **(CD8.3)**, *'sprawl'* is defined as *'spread out over a large area in an untidy or irregular way'*. However, the Proposed Development on the Appeal Site would be largely integrated, and set within, with the existing western settlement edge of Chiswell Green; with a very limited extension of built form to west, beyond the existing settlement along Chiswell Green Lane to the immediate north, no more than approximately 150m, and the western extent of existing settlement of Chiswell Green to the south of the Appeal, no more than approximately 140m, as evident on **Figure LT1: Appeal Site Context Plan**.
- 5.28 The western extent of Proposed Development would also be effectively contained by the former Butterfly World and its associated access, Miriam Lane, and the associated mounding and maturing structure planting, along the length of its western boundary.
- 5.29 The Proposed Development would replace the more sporadic existing development dispersed across the Appeal Site, such as the residential property and associated numerous ancillary buildings and outbuildings in the north-eastern part of the Appeal Site; and buildings and structures associated with the livery, stable and riding school in the north-western part of the Appeal Site; with the removal of the fencing and clutter associated horse keeping, paddocks and grazing, which arguably contribute to the sprawl of encroaching urban fringe.
- 5.30 In contrast, the Proposed Development, as set out in the Design and Access Statement **(CD1.3)** and demonstrated on the Illustrative Masterplan **(CD2.27)**, would be designed to relate well to the existing built form of the existing settlement edge to the north, east and south, taking account of the local context and reflecting the landscape features and the character and setting of the local area.
- 5.31 The Proposed Development would be further integrated into the settlement edge, with two proposed accesses off Chiswell Green Lane, relating to the existing extent of development to the north of Chiswell Green Lane, as illustrated by the Access and Movement Parameters Plan **(CD1.15)**; and a further access from Forge End, utilising an existing road access, suitable for a residential estate road, which has been constructed off Forge End up to the Appeal Site boundary, between two dwellings, as part of earlier development, suggesting that there has previously been provision for such an extension of settlement into the Appeal Site. Two further

primarily pedestrian/cycle access would be provided off Long Fallow, where gaps in the existing residential development have been retained, as illustrated by **Appeal Site Context Photograph 1**, and which will allow further integration with and permeability through the existing settlement of Chiswell Green, as also illustrated on the Access and Movement Parameters Plan.

- 5.32 The Proposed Development would be set behind an enhanced western boundary, providing a buffer to the western edge of the Proposed Development to soften, screen and filter views of the Proposed Development from the west, and providing an improvement to the appearance to the settlement edge compared with that of the existing settlement edge of Chiswell Green, as illustrated by **Appeal Site Context Photographs B, D, E, F, G, H, I, J and K**.
- 5.33 Therefore, in my opinion, the Proposed Development would replace the existing sporadic and dispersed development on the Appeal Site, with the removal of the existing clutter on the Appeal Site. In contrast the Proposed Development would be well designed and integrated into the existing settlement edge of Chiswell Green, with an enhanced western boundary to soften, screen and filter the western edge of the Proposed Development, with an improvement to the appearance of the western settlement edge of Chiswell Green. As such, it would not constitute sprawl in that it would not be incoherent, sporadic, dispersed or incoherent. Whilst there would be a minimal outward spread of development, this would be contained by not only by an existing enhanced, robust, coherent and well-defined western Appeal Site boundary, but also contained to the west by the existing development of the former Butterfly World and associated access, mounding and maturing structure planting. Proposed Development on the Appeal Site would, therefore, **not contribute to unrestricted sprawl, and would not be harmful of Purpose 1 of the Green Belt**, but instead would constitute a well-planned, contained and logical rounding off of the existing settlement of Chiswell Green.
- 5.34 This accords with the opinion of the SADCD Officers as set out in the Committee Report at Paragraph 8.3. 22 (a), Page 96, (with emphasis) with states that:

*"The site is directly adjacent (west) to the settlement of Chiswell Green and will effectively provide an extension to this settlement. The site is bound by Miriam Lane to the west, providing a strong a defensible barrier and restricting the sprawl of Chiswell Green into the wider area. The western boundary has existing trees and hedges, which will be retained and enhanced through the proposals, which include a landscape buffer of at least 5m along the entire western boundary to further strengthen the western boundary of the site. The proposal is therefore not considered to represent unrestricted sprawl and there is not considered to be any significant harm to this Green Belt purpose."*

## **Purpose 2: To prevent neighbouring towns from merging**

- 5.35 With regard to Purpose 2: To prevent neighbouring towns from merging, the Appeal Site is assessed in the BWnS Green Belt Review as making '**Limited or No Contribution**' to Purpose 2, qualifying this assessment, in Table 9.1, stating that:
- *Development of the [Appeal] Site would not result in the merging of towns and would not constitute a step towards the coalescence of any settlements. Development of the [Appeal] Site offers the opportunity to create strong and defensible landscape boundaries, particularly on the western edge of the [Appeal] Site, ..*
- 5.36 '*Neighbouring Towns*' are defined as referring to "*settlements identified within the relevant Local Plan and those within the neighbouring authorities' administrative boundary that abut the Green Belt*"; and is defined as '*Merging*' or '*Coalescence*' is defined as "*the physical or visual linkage of large built-up areas*" as set out in the BWnS Green Belt Review Methodology **(CD2.6)**. In the SACDC Green Belt Review November 2013 **(CD8.3)**, '*Neighbouring Towns*' are defined as "*1<sup>st</sup> Tier Settlements*" [with reference to SACDC] noting that '*Merging*' "*can be by way of general sprawl of ribbon development*".
- 5.37 The Appeal Site forms a small part of the much wider swathe of Green Belt between the first tier settlements of St Albans, Hemel Hempstead and Watford. Therefore, the Appeal Site is unlikely to play any role in preventing development that would result in the merging of, or significant erosion of the gap between, neighbouring settlements, since it does not provide a sufficiently substantial gap between any settlements and makes no discernible contribution to separation.
- 5.38 As noted above, the Proposed Development on the Appeal Site would be largely integrated, and set within, with the existing western settlement edge of Chiswell Green. Again, the Proposed Development would result in a very limited extension of built form to west, beyond the existing settlement along Chiswell Green Lane to the immediate north, no more than approximately 150m, and the western extent of existing settlement of Chiswell Green to the south of the Appeal, no more than approximately 140m, as evident on **Figure LT1: Appeal Site Context Plan**.
- 5.39 In addition, the western extent of Proposed Development would also be effectively contained by the former Butterfly World and its associated access, Miriam Lane, and the associated mounding and maturing structure planting. Therefore, whilst there would be some loss of open land between the existing first tier settlements of St Albans and Watford, the Proposed

Development on the Appeal Site would not result in the physical, or perceived, merging, or coalescence, of these towns, and a substantial swathe of largely open countryside would remain as functioning Green Belt, providing separation between them.

5.40 I am, therefore, of the opinion that the Appeal Site therefore makes **no contribution to Purpose 2**, preventing neighbouring towns merging into one another, and Proposed Development on the Appeal Site **would not prejudice, nor be harmful to, the function of Purpose 2** of the remaining Green Belt beyond the Appeal Site.

5.41 Again, this accords with the opinion of the SADCD Officers as set out in the Committee Report at Paragraph 8.3. 22 (b), Pages 96 and 97, (with emphasis) with states that:

*"The development of this site would introduce built form between Chiswell Green and Hemel Hempstead, however the north west of the site is bound by existing development – the former Butterfly World. In any case, a significant gap would be maintained to Hemel Hempstead. The integrity of the gap between St Albans and Watford would be maintained. Very limited harm is identified in relation to this purpose."*

### **Purpose 3: To assist in safeguarding the countryside from encroachment**

5.42 With regard to Purpose 3: To assist in safeguarding the countryside from encroachment, the Appeal Site is assessed as set out in the BWnS Green Belt Review as making '**Partial Contribution**' to Purpose 3, qualifying this assessment, in Table 9.1, stating that:

- *The [Appeal] Site is largely contained by clearly defined obvious natural boundaries that are formed by hedgerows and hedgerow trees as well as blocks of woodland. These existing boundaries would be maintained and enhanced by the comprehensive landscape strategy, which would create a strong and defensible boundary that would allow for the Proposed Development to be delivered on the [Appeal] Site. The landscape strategy would create a new Green Belt boundary that delivers a linear landscape buffer defined by the restored and reinforced hedgerow along the western boundary of the [Appeal] Site.*
- *Whilst the development of the [Appeal] Site would result in the loss of countryside, further encroachment would be limited to, and contained by, the robust, clearly defined boundaries to the [Appeal] Site, thus preventing any further encroachment into the adjacent landscape.*

5.43 'Encroachment' is defined as the "advancement of a large built-up area beyond the limits of the existing built-up area into an area perceived as countryside", and 'countryside' is defined as "in planning terms: land outwith the settlement boundary; and/or in broader terms: the

*landscape of a rural area*", as set out in the BWnS Green Belt Review Methodology **(CD2.6)**. The SACDC Green Belt Review November 2013 **(CD8.3)** defines '*encroachment*' as "*a gradual advance beyond usual or acceptable limits*", and '*countryside*' as "*open land with an absence of built development and urbanising influences, and characterised by rural land uses including agriculture and forestry. Relevant landscape character or quality designations will be taken into account in assessing the role of the Green Belt in safeguarding the countryside*".

- 5.44 The Appeal Site comprises medium scale fields, however, these fields are not open arable fields typical of the wider countryside, but grazed horse paddocks subdivided with post and rail and post and wire fencing, with a high degree of enclosure provided by the surrounding existing settlement edge of Chiswell Green on the north-eastern, eastern and southern boundaries and vegetation on the western and south-western boundaries. The settlement edge of Chiswell Green is also prominent on these boundaries of the Appeal Site, exerting an urban influence across the Appeal Site, which is as noted in the 'Visual Impact' section of the description of St Stephen's Plateau LCA 10, with "*the raw built edges of Chiswell Green and How Wood represent[ing] significant suburban impact*", and this strongly influences the character of the Appeal Site, as illustrated by **Appeal Site Appraisal Photographs D, E, I, J and K**, the locations of which are shown on **Figure LT4: Appeal Site Appraisal Plan**.
- 5.45 Further clutter, in addition to the existing influence of built form both on the Appeal Site and adjoining the Appeal Site, is evident across the Appeal Site, associated with keeping horses, and garden paraphernalia and outbuildings around residential curtilages and along the eastern boundary adjoining existing residential development on the settlement edge of Chiswell Green, further detracting from the character of the 'countryside'.
- 5.46 Therefore, whilst the development of the Appeal Site would result in the loss of a small parcel 'countryside', being 'countryside' only insofar as it comprises land outside the 'Specified Settlement Boundary' and within the Green Belt; however, the Appeal Site does not constitute pristine countryside, as whilst the Appeal Site exhibits some components of countryside, all of the Appeal Site is strongly influenced by its existing urban fringe location, the existing development on the Appeal Site, and further detracting throughout the Appeal Site.
- 5.47 The Appeal Site, therefore, appears set part within the existing settlement edge of Chiswell Green, and between the settlement edge of Chiswell Green, and the former Butterfly World and Garden of the Rose, neither of which exhibit the characteristics of countryside; and is therefore located within the transition from settlement to the east and the wider countryside to the west and south-west, beyond the former Butterfly World and Garden of the Rose. Furthermore, the surrounding landform and vegetation combine to limit the visibility of the



Appeal Site from the wider area, thus limiting the influence of the Appeal Site over the more open wider landscape or countryside to the further west.

- 5.48 The existing boundaries of the Appeal Site, which largely physically and visually contain the Appeal Site, would be retained and enhanced by the comprehensive landscape strategy, to create a strong and defensible boundary such that encroachment into the countryside to the west of the Appeal Site would be limited to, and contained by, the robust, clearly defined boundaries of the Appeal Site, thus preventing any further encroachment into the adjacent countryside.
- 5.49 I am, therefore, of the opinion that the Appeal Site only makes a **partial contribution** to safeguarding the countryside from encroachment as, whilst the Appeal Site is 'countryside' insofar as it is land outside the 'Specified Settlement Boundary' and within the Green Belt, much of the Appeal Site is strongly influenced by its existing urban fringe location, and some existing development on the Appeal Site, which detract from the character of the 'countryside', such that the Appeal Site does not exhibit the attributes of unspoilt countryside. The Proposed Development of the Appeal Site would result in the loss of a very small part of countryside, already affected by development. This loss of countryside would be physically and visually contained by the retained and enhanced vegetation on the western boundary, thus preventing any further encroachment into the adjacent countryside, with the much wider swathe of more open intact countryside remaining unaffected to the west of the Appeal Site, the former Butterfly World and the Garden of the Rose. Therefore, the **harm to Purpose 3 is very limited and contained to the Appeal Site itself.**
- 5.50 This broadly correlates with the opinion of the SACDC Officers as set out in the Committee Report at Paragraph 8.3. 22 (c), Page 97, with states (with emphasis) that:

*"The site is bound to the east and south by existing residential development, whilst the north of the site is bound by Chiswell Green Lane. The west of the site is bound by the former Butterfly World and Miriam Lane, creating a physical barrier to the open countryside, which was noted in the SKM Green Belt review 2013:*

- *"the sub-area identified on pasture land at Chiswell Green Lane displays urban fringe characteristics due to its proximity to the settlement edge and Butterfly World along Miriam Road to the west. This development bounds the outer extent of the pasture land and creates a physical barrier to the open countryside. The pasture land also displays greater levels of landscape enclosure due to localised planting along field boundaries."*

*"The site has urban fringe characteristics, which was also noted in the SKM Green Belt review 2013. As a result of the locational characteristics, the proposals would only have a localised effect*

*on the Green Belt. The broad purpose of the Green Belt in this location would remain, and the encroachment into the countryside would not be significant. However, the existing site comprises four open fields, with built form limited to the north west and north east of the site. The proposals would therefore encroach into an existing area of countryside, although further encroachment beyond the site would be restricted by the clearly defined site boundaries. Low to moderate harm is identified in relation to this purpose.*

## Summary

- 5.51 With regard to the alleged harm to the Green Belt caused by the Proposed Development due to the harm to the Green Belt purposes relating to encroachment to the countryside [Purpose 3], urban sprawl [Purpose 1] and merging of towns [Purpose 2], as set out in RfR 1; I am of the opinion, based on reference to the BWnS Green Belt Review and my own assessment, that the Appeal Site makes a **Partial** contribution to Purpose 3, **No contribution** to Purpose 1, and **No Contribution** to Purpose 2.
- 5.52 This broadly correlates with the opinion of SACDC Officers as set out in the Committee Report, with the SACDC Officers noting (with emphasis) that with regard to Purpose 3 *"the encroachment into the countryside would not be significant"* with *"further encroachment beyond the site [being] restricted by the clearly defined site boundaries"*, with *"Low to moderate harm identified in relation to this purpose"*; with regard to Purpose 1 the Proposed Development is *"not considered to represent unrestricted sprawl and there is not considered to be any significant harm to this Green Belt purpose"*; with regard to Purpose 2, *"**very limited harm is identified in relation to this purpose**"*.
- 5.53 Again my assessment of the contribution that the Appeal Site makes to Purposes 1, 2, and 3 of the Green Belt is further validated with reference to SACDC's own evidence base, that is with reference to the SACDC November 2013 Green Belt Review (**CD8.3**) and then the subsequent SACDC February 2014 Green Belt Review (**CD8.5**) which identified Sub-Area S8 as making a limited or no contribution to four of the five purposes of the Green Belt, Purposes 1, 2, 4, and 5, and a partial contribution to one, Purpose 3, of the five purposes.
- 5.54 There is, therefore, a high degree of agreement in terms of the contribution that the Appeal Site makes to the purposes of the Green Belt and the harm arising from Proposed Development on the Appeal Site. It is also of note that, considering the level of contribution and harm, SACDC's own evidence identified that Sub-Area S8, the Appeal Site, is *"**considered to make the least contribution towards the Green Belt purposes as compared to all of the nine sites assessed**"* [identified for further consideration in the SACDC Green Belt Review

February 2014]. It indicates a residential capacity for the Appeal Site of between 270 and 450 dwellings; and ranks **Sub-Area S8 as the highest of nine sites for suitability for release from the Green Belt and future development**. Furthermore, **an area which correlates with the extent of the Appeal Site is identified within Sub-Area S8 as 'Land for potential Green Belt release'** (with emphasis).

- 5.55 Therefore, not only is Sub-Area S8 identified as the most suitable area within St Albans City and District for release from Green Belt, but within Sub-Area S8, the area correlating with the extent of Appeal Site is identified as the boundary of land for potential Green Belt release and for accommodating urban development areas, infrastructure and public open space.
- 5.56 Therefore, in addition to the generally agreed overall limited harm identified, SACDC's own evidence base identifies the Appeal Site as suitable for release from Green Belt and future development.

## 6.0 REASON FOR REFUSAL 1: LANDSCAPE CHARACTER

6.1 In terms of the alleged detrimental impact on landscape character and appearance, the BWnS LVIA **(CD2.5)** records the following effects on landscape character, with which I agree.

6.2 The effect on the landscape character of NCA 111: Northern Thames Basin **(CD7.5)**, which has a Low Sensitivity is assessed as follows, as set out in Paragraphs 8.2 and 8.3 of the BWnS LVIA:

- The Proposed Development on the western edge of Chiswell Green would occupy a very small area of undeveloped land immediately adjacent to the existing settlement edge within the much larger NCA, where the additional residential development would cause a Very Small magnitude of change upon the extensive NCA, though this would be at the lowest end of very small. The Proposed Development would represent the expansion of an existing settlement with the capacity to absorb growth with the delivery of accessible natural greenspace, as set out within the NCA profile. The Proposed Development would result in a **Negligible Adverse** effect upon the Northern Thames Basin NCA at Year 1, since the change will be from one characteristic component to another.
- By Year 15, the adverse effects of the expansion of the existing settlement would be absorbed within a mature landscape framework delivered by the comprehensive landscape strategy for the [Appeal] Site, including the tree planting throughout the [Appeal] Site and the reinforcement of the existing field pattern and western [Appeal] Site boundary. This would result in a **Neutral Adverse** effect at Year 15

6.3 The effect on the landscape character of LCA 10: St Stephen's Plateau, which has a Medium Sensitivity is assessed as follows, as set out in Paragraphs 8.4 and 8.5 of the BWnS LVIA:

- Development of the [Appeal Site] with housing and a comprehensive landscape strategy would respect the existing landscape pattern and enhance the structure of the existing intact to denuded hedgerows. While the residential housing would cause a permanent loss of a relatively small area of pasture, the housing would be delivered within a comprehensive landscape strategy that reflects the landscape context by introducing substantial tree planting and accessible green space, as well as reinforcing the existing field pattern, and to create a western boundary that would represent a robust and recognisable settlement edge. The Proposed Development would cause a Small magnitude of change, albeit at the low end of small, upon St Stephen's Plateau as it would extend built form to the west in a way that would round off the settlement

morphology with a rational settlement boundary and provide a sensitive transition between development and the wider landscape. The [Appeal] Site occupies less than one percent of the total area of LCA 10, in an area already influenced by the existing settlement edge. Since the receptor would be subjected to an effect over a very limited extent, on balance this would result in a **Minor Adverse** effect at Year 1.

- The landscape framework delivered through the comprehensive landscape strategy proposed for the [Appeal] Site will have become established by Year 15, providing a robust boundary to the west, mature trees throughout the [Appeal] Site, and a strong sense of place as a result of the varied publicly accessible spaces linked by the green spine. This would result in a **Negligible Adverse** effect at Year 15.

6.4 The effect on the landscape character of the Appeal Site and its Immediate Vicinity, which has a Medium Sensitivity is assessed as follows, as set out in Paragraphs 8.6 and 8.7 of the BWnS LVIA:

- The Proposed Development will result in a substantial increase in built form on the [Appeal] Site, although this will be experienced from very limited locations in the local landscape. The Proposed Development includes the retention of the overall existing structure of the landscape, with a comprehensive reinforcement and improvement of the landscape features that contribute to the rural aspects of the [Appeal] Site's otherwise urban fringe character through the implementation of Figure LT8: Publicly Accessible Green Space Strategy Plan. Furthermore, the Proposed Development will be perceived in the context of its strong relationship with the existing settlement edge as well as existing infrastructure (notably the nearby pylons). On balance, the Proposed Development is anticipated to give rise to a Large magnitude of effect, which in combination with the receptor sensitivity, will give rise to a **Major Adverse** effect at Year 1.
- At Year 15, the proposed comprehensive landscape strategy set out in Figure LT8: Publicly Accessible Green Space Strategy Plan will result in the establishment of positive characteristic features throughout the [Appeal] Site, responding to the published landscape guidance and policy and mitigating the adverse effects relating to the Proposed Development itself. The [Appeal] Site will have assimilated into the existing settlement edge of Chiswell Green, which along with the positive benefits of the proposals would, on balance, reduce the effect to **Neutral** at Year 15.

6.5 It is of note that the findings of the BWnS LVIA were broadly supported by the HCC Landscape Officer, as noted earlier, and at Paragraph 8.5.8, Page 103, of the Committee Report (with emphasis).

*"HCC Landscape commented on the LVIA, noting that the conclusion of the landscape assessment is broadly supported, providing that effective mitigation is delivered through more robust landscaping along the western edge of the site. It was noted that the [Appeal] Site is contained within a distinct parcel of grassland, the settlement edges to the north, east and south, and the highways of Chiswell Green Lane to the north and Miriam Lane to the west, provide a distinct limit to the extension of the settlement."*

- 6.6 With regard to providing more robust landscape to the western edge of the Appeal Site; this has been resolved with further discussion with the HCC Landscape Officer, and the submission of a revised Land Use Parameters Plan (**CD1.28**), with Committee Report (**CD3.4**) confirming, at Paragraph 8.5.13 Page 103, that:

*"... the western landscape buffer would be a minimum width of 5m, with the final width of the buffer determined through reserved matters application(s), taking into account site specific conditions (including the protection of any existing vegetation) and the requirement to deliver effective landscape and visual mitigation. The western landscape buffer included in the Land Use Parameter Plan ranges from 5m to approximately 13m in depth, whilst the area of landscaping to the south of the site is around 25.5m deep. The Land Use Parameter Plan includes a note outlining the details of the landscape buffer to ensure it would be safeguarded."*

- 6.7 Furthermore, as stated at Paragraph 8.5.14 of the Committee Report (**CD3.4**):

*"HCC landscape has confirmed they have no outstanding concerns with the proposals."*

- 6.8 The overarching principles for the landscape strategy, as set out in earlier Section 4.0, would provide a framework for development on the Appeal Site that reflects the local characteristics and responds to the guidance for LCA 10: St Stephen's Plateau, including in particular through hedgerow restoration following the pattern of historic field boundaries, providing visual and ecological links between existing woodland areas; creation of smaller copses linking with hedgerow restoration on the open arable areas, emphasising topographical variation; and broadening the range of recreational opportunities.

- 6.9 The Proposed Development and associated Landscape Strategy accords with the relevant landscape policy context, in that it will:

- Integrate with the existing landscape, in particular through boundary treatment and landscaping that will help to mitigate any detrimental landscape visual impacts on the wider landscape. This includes the proposed boundary buffer which, combined with landscape bunds and mature boundary trees to the immediate west, will integrate and

filter views of the development in response to the NPPF (**CD7.1**), Policy 1 of the Local Plan (**CD8.1**) and Policies S1, S3 and S5 of the St Stephen Neighbourhood Plan (**CD8.12**).

- Protect and enhance the landscape character of the area in which it is located, as well as the character of existing adjacent settlements, by taking account of the local context and reflecting the landscape features and character and setting of the local area, in response to the NPPF, Policies 1, 2 and 101 of the Local Plan and Policies S3 and S6 of the St Stephen Neighbourhood Plan.
- Create safe, attractive spaces of human scale, in particular on the urban fringe, through the provision of accessible green space, including green space for children’s play areas, in response to Policies 79, 74 and 105 and Policies S5 and S10 of the St Stephen Neighbourhood Plan.
- Avoid significant harm to the ecological value of the countryside, and instead maintain and enhance the natural environment and its landscape character, through the creation of connective chains of green infrastructure which will achieve a net gain in biodiversity, with the planting of additional trees, creation of wildflower areas, and the restoration, reinforcement and maintenance of existing hedgerows, in response to Policy 1 of the Local Plan, Section 4 of the St Albans District Green Infrastructure Plan and Policies S6 and S10 of the St Stephen Neighbourhood Plan.
- Create new green recreation routes that provide safe and accessible pedestrian and cycle links from settlements to the District’s Green Infrastructure network within the surrounding countryside, in response to Section 4 of the St Albans District Green Infrastructure Plan and Policies S5 and S14 of the St Stephen Neighbourhood Plan.

6.10 The Appeal Site is only partially representative of LCA 10: St Stephen’s Plateau, in that it comprises medium scale fields, with the settlement edge of Chiswell Green prominent on the southern, eastern and north-eastern edges of the Appeal Site. As noted in the ‘Visual Impact’ section of the character area description, ***“the raw built edges of Chiswell Green and How Wood represent significant suburban impact”***, and this strongly influences the character of the Appeal Site, being affected by the detracting influence of the western settlement edge of Chiswell Green which adjoins the Appeal Site to the north, east and south, such that the Appeal Site and its immediate context sit within an urban fringe landscape with a strong relationship with the settlement edge.

6.11 The character of the Appeal Site is not characteristic of the wider LCA 10, as the fields are not open arable fields, but grazed horse paddocks subdivided with post and rail and post and wire fencing, with a degree of clutter associate with horse keeping and its settlement edge and urban fringe location, and with a high degree of enclosure provided by the surrounding existing

settlement on the north-eastern, eastern and southern boundaries and vegetation on the western and south-western boundaries.

- 6.12 The Appeal Site is therefore set part within the existing settlement edge of Chiswell Green, and between the settlement edge of Chiswell Green, and the former Butterfly World and Garden of the Rose both of which are not representative of LCA 10; and is therefore located within the transition from settlement to the east and the wider landscape to the west and south-west, beyond the former Butterfly World and Garden of the Rose. Furthermore, the surrounding landform and vegetation combine to limit the visibility of the Appeal Site from the wider area, thus limiting the influence of the Appeal Site over the more open wider landscape to the further west.
- 6.13 SACDC's own evidence base, with reference to the SACDC February 2014 Green Belt Review (**CD8.5**) considers the Appeal Site, as Sub-Area S8, to have a greater sense of enclosure than other parts of the sub-area due to the small woodlands, copses, and hedgerows within it, together with the artificial landform that surrounds Butterfly World, which will be reinforced as planting on it matures. It states, "*Views are much shorter in distance within the eastern part of the sub-area (between Butterfly World and Chiswell Green) [that is, the Sub-Area and the Appeal Site] due to a combination of local landform and vegetation*". Landscape sensitivity is also assessed as lower for the land adjoining the settlement edge of Chiswell Green, that is Sub-Area S8 and therefore the Appeal Site, compared to the higher sensitivity land to the west, which is more open and rural in character and where capacity for accommodating development is reduced as any proposals would be more visually prominent. This is illustrated on Figure 10.1: Landscape and Visual Appraisal, Sub-Area S8: Land at Chiswell Green, included in the SACDC February 2014 Green Belt Review, included in **Appendix LT-6: Published Green Belt Review Extracts**, and included earlier in Section 2.0, at Paragraph 6.24.
- 6.14 The SACDC February 2014 Green Belt Review also considers that "*the most appropriate land for potential release from Green Belt for residential led development is the eastern part of the sub-area*" which coincides with the extent of the Appeal Site, as illustrated on Figure 10.3: Indicative Layout, Sub-Area S8: Land at Chiswell Green, included in **Appendix LT-6: Published Green Belt Review Extracts**, and included earlier in Section 2.0, at Paragraph 6.25. In addition, Figure 10.3 identifies 'Potential urban development areas, infrastructure and public open space'; and it is of note that these areas broadly correlate with the areas of Residential use – to include roads, parking, and associated infrastructure and incidental areas of open space' on the Land Use Parameter Plan (**CD1.28**), and therefore, Proposed Development would come forward as envisaged in the SACDC February 2014 Green Belt Review.



- 6.15 Direct changes to the landscape character would be limited to the Appeal Site, and any change would be well-contained by the existing western boundary vegetation which would be retained and enhanced and would serve to contain introduced built forms on the Appeal Site, provide an improvement to the appearance compared with the existing settlement edge of Chiswell Green, and thus limit any further impact upon the landscape character beyond the Appeal Site and restrict the extent of visual connection to the wider landscape.
- 6.16 The BWnS LVIA acknowledges that at Year 1 there would be a major adverse effect to the landscape character of the Appeal Site, reducing to a neutral effect at Year 15. The BWnS LVIA also records a minor adverse effect on LCA 10: St Stephen's Plateau in Year 1, reducing to negligible adverse at Year 15, and a negligible adverse effect on NCA 111: Northern Thames Basin at Year 1, reducing to a neutral effect at Year 15. Therefore, in summary, as set in Paragraph 9.11 of the BWnS LVIA, and quoted in the Committee Report, **(CD3.4)**, Paragraph 8.5.7, Page 102, in the long term:

*"The Proposed Development would not cause any substantial changes to the character of the landscape within the [Appeal] Site or the wider area but would extend the existing settlement edge into the [Appeal] Site. The new residential development would be at an appropriate location and of an appropriate scale to be successfully assimilated into the existing settlement of Chiswell Green, with limited effect on the wider landscape to the west."*

- 6.17 The Committee Report, with regard to landscape character, goes on to conclude at Paragraph 8.5.17 Page 104, that:

*"In light of the above discussion [with the HCC Landscape Officer], the landscape and visual impact of the proposed development is considered acceptable. Nevertheless, it is considered that the introduction of built form across the existing fields would cause some harm to the local landscape character, to which some limited weight is given."*

- 6.18 This accords with my assessment on the effect on landscape character, in that development within the Appeal Site would introduce housing to an area of land on the western edge of Chiswell Green already influenced by its urban fringe location. The development would directly relate to the existing settlement edge and reinforce the existing settlement pattern by a rational rounding off of the settlement of Chiswell Green. It would also provide an opportunity to create a robust and permanent boundary to the settlement, and assimilate it into the immediate and wider context, with limited detrimental effects on landscape character or appearance of the landscape beyond the Appeal Site, and therefore very limited harm to the wider landscape character beyond the Appeal Site.

## 7.0 HIGH LEVEL CUMULATIVE ASSESSMENT

### **Assessment of Potential Cumulative Landscape and Visual Effects of Land North of Chiswell Green, Chiswell Green St Albans and the Appeal Site, Land South of Chiswell Green**

- 7.1 I have undertaken a high-level assessment of the combined landscape and visual effects of the Proposed Developments for both the Appeal Site, Land South of Chiswell Green Lane, and the Site at Land North of Chiswell Green Lane, 'The Polo Club Site', based on my understanding of the existing landscape and visual context of the Polo Club Site, being similar to, but not identical to, that of the Appeal Site; site visits; and a review of the Landscape and Visual Impact Assessment for the Polo Club Site, prepared by UBU Design, July 2021, **(CD4.17)** and submitted with the Outline Application for the Polo Club Site.
- 7.2 In summary, when considered in combination, overall, the cumulative landscape and visual effects of both the Appeal Site and the Polo Club Site, whilst inevitably greater, would not result in any significant increase in long term landscape and visual effects, and would not therefore warrant the refusal of either or both of the proposed developments for the Appeal Site and the Polo Club Site.
- 7.3 In terms of harm to the openness and purposes of the Green Belt, based on a review of the SACDC's own Green Belt evidence base, which provides a hierarchical assessment of the relative contribution of sites to, and suitability for release from, Green Belt, and covers both the Appeal Site and the Polo Club Site; and my own comparative analysis of the contribution of both sites to the Green Belt, as set out below; I conclude that the Appeal Site is the better site for future development and for release from Green Belt, as it is supported by the SACDC Green Belt evidence base, and the Polo Club Site makes both a greater contribution to the openness of the Green Belt and a greater contribution to the purposes of the Green Belt.
- 7.4 However, both sites, due to their high level of containment, generally have a limited effect on the openness or purposes of the wider Green Belt, to the west of the sites; and therefore, both sites could come forward without undue effect on the wider Green Belt, subject to the planning balance exercise.

### **Polo Club Site Landscape and Visual Context**

- 7.5 The Polo Club Site is located to the west of Chiswell Green. However, the Polo Club Site does not adjoin the existing settlement edge of Chiswell Green, with an open strip of land between

the western edge of the settlement and eastern boundary of the Polo Club Site, separating the Polo Site from the existing housing on the western edge of Chiswell Green. The Polo Club Site is therefore not integrated with the settlement edge of Chiswell Green, as illustrated by **Appeal Site Context Photographs 5, 6 and 7**, the locations of which are illustrated on **Figure LT1: Appeal Site Context Plan**.

- 7.6 The Polo Site extends west along Chiswell Green Lane. It extends beyond the former Butterfly World Site, and up to the entrance to the Garden of the Rose, as illustrated by **Appeal Site Context Photograph 9**, both to the south of Chiswell Green Lane.
- 7.7 The Polo Site is on rising land to the north of Chiswell Green Lane, at a higher elevation than that of the Appeal Site, with the central part of the Polo Site at an elevation of above 105m AOD, as illustrated on **Figure LT1: Appeal Site Context Plan**.
- 7.8 The Polo Site is contained by a woodland strip on the western boundary, woodland on and to the north of, the northern boundary, and by a single species conifer hedge along the eastern boundary, as illustrated on **Figure LT1: Appeal Site Context Plan**, and again by **Appeal Site Context Photographs 6 and 7**.
- 7.9 St Stephen Green Farm is located to the west, and Cuckman's Farm to the north, set within a framework of woodland.
- 7.10 The interior of the Polo Club Site devoid of any noteworthy vegetation, comprising grazed paddocks, and grassland used infrequently for polo matches. As a result, the interior of the Polo Club Site is open, lacking in a landscape framework or enclosure. Built form on the Polo Club Site is limited to the Polo Club House, and several dispersed agricultural buildings associated with horse keeping.
- 7.11 PRoWs 080 and 021 run immediately along the northern and western boundaries of the Polo Club Site, and ProW 039 runs north, from Cherry Hill and along the rear of properties in Hawthorn Way, connecting to ProW 020 and the ProW 010. A further ProW, ProW 012, runs north from Chiswell Green Lane on the more open elevated landscape to the west of the Polo Club Site.
- 7.12 The Polo Club Site is located within the Green Belt as identified in the St Albans City and District Local Plan, Adopted 1994.

- 7.13 There is no Ancient Woodland on, or within the locality of, the Polo Club Site. There are no other relevant landscape policy designation on the Polo Club Site, and whilst there are other designations within the context of the Appeal Site, such as Conservation Areas, Listed Buildings, Registered Parks and Gardens, within the wider landscape setting of the Polo Club Site, these are generally at distance to the Polo Club Site.
- 7.14 The Polo Club Site is visible from the immediate surrounding locality, with views from residential properties which front on to The Croft and Cherry Hill and which overlook the Polo Club Site, as illustrated by **Appeal Site Context Photographs 5 and 6**, the locations of which are illustrated on **Figure LT5: Visual Appraisal Plan**, and also illustrated by UBU Design LVIA Viewpoints 2, 3 and 4, the locations of which are shown in UBU Design LVIA Figure 8 (**CD4.17**); and from PRoW 080, which runs along the northern boundary of the Polo Club Site, in views over the boundary vegetation towards the Polo Club Site, as illustrated by **Appeal Site Context Photograph 7**, the location of which are illustrated on **Figure LT5: Visual Appraisal Plan**, and also illustrated by UBU Design LVIA Viewpoints 5, 6, 7, and 8, the locations of which are shown in UBU Design LVIA Figure 8; from PRoW 021 which runs along the western boundary of the Polo Club Site, with view towards the Polo Club Site where break in the boundary vegetation allow views, as illustrated by **Appeal Site Context Photograph 8**, the location of which are illustrated on **Figure LT5: Visual Appraisal Plan**, and also illustrated by UBU Design LVIA Viewpoint 9, the location of which are shown in UBU Design LVIA Figure 8; and from PRoW 012, from the open more elevated land to the west of the Appeal Site, as illustrated by **Appeal Site Context Photograph 17**, although not orientated towards the Polo club Site, the location of which is illustrated on **Figure LT5: Visual Appraisal Plan**; also illustrated by UBU Design LVIA Viewpoints 18 and 19, the locations of which are also shown on UDU Design LVIA Figure 8.

### **Landscape Character Context**

- 7.15 The Polo Club Site is located in the same LCA as the Appeal Site, that is LCA 10: St Stephen's Plateau. Therefore, reference to LCA 10: St Stephen's Plateau as set out in Paragraphs 2.43 to 2.55 earlier, are generally relevant. However, the Polo Club Site is not subject to the visual influence of the settlement edge of Chiswell Green, that is *"the raw built edges of Chiswell Green [which] represent a significant suburban impact"*.
- 7.16 The Polo Club Site is an area of LCA 10 surrounded to the west and north by *"wooded farmland"* located the plateau to the north, with the *"woodland [providing] a stronger sense of enclosure"*.

## Green Belt Context

7.17 With regard to the Green Belt context of the Polo Club Site, it is, like the Appeal Site, located in Strategic Parcel GB25, as assessed in the SACDC November 2013 Green Belt Review (CD8.3). The Polo Club Site is also included within the Sub-Area S8 as part of the SACDC February 2014 Green Belt Review (CD8.5). However, as illustrated on Figure 10.1: Landscape and Visual Appraisal, Sub Area S8: Land at Chiswell Green of the SACDC February 2014 Green Belt Review, included at Paragraph 2.64 earlier, the Polo Club Site is located in an '*Area of Higher Landscape/ Visual Sensitivity*'. The findings of the Landscape and Visual Appraisal are supported by the table following 10.4.14, Page 100, which assess the eastern and western parts of Sub-Area S8, which with regard to Landscape Character for the western part of the Sub-Area, states that:

*"The landscape has a very open character and development would completely change this. Any changes to this landscape would be very conspicuous. Agricultural intensification is a key contributor to the current character and influences the openness of the landscape. Some of the boundaries still comprise hedgerows with hedgerow trees, but they are frequently very fragmented."*

7.18 It goes on to state that, with regard to 'Settlement Form':

*"This area is separate from the edge of the settlement and relates more to the wider countryside."*

7.19 With regard to 'Views/visual features' the western part of Sub-Area S8, it is noted that:

*"The openness of the landscape means development would be conspicuous from the surrounding landscape, with key visual receptors comprising the residents of dispersed properties and users of the small local roads."*

7.20 For Landscape value it notes that:

*"No landscape, cultural heritage or ecological designations."*

7.21 The Overall Evaluation for the western part of Sub-Area S8 is of 'Higher Sensitivity'.

7.22 In addition, with reference to Figure 10.3: Indicative Layout Site S8 Land at Chiswell Green, included at Paragraph 2.65 earlier, the **Polo Club Site is not included in the land identified for potential Green Belt release, or potential urban development areas, infrastructure and public open space.**

- 7.23 Therefore, on the basis of the analysis of the SACDC February 2014 Green Belt Review, it is evident that the Polo Club Site is less favourable in Green Belt terms than the Appeal Site.

### **Landscape and Visual Effects**

#### Visual Effects

- 7.24 Proposed development of the Polo Club Site, in combination with the proposed development of the Appeal Site, would result in a greater visual impact, arising from additional views from the residential properties that overlook the Polo Club Site, in The Croft and Cherry Hill; however, these would be of no greater significance than those from the edge of Chiswell Green adjacent to the Appeal Site. There would also be an increase in visual impact from PRowS, in particular from PRowS 080 and 021 running immediately along the northern and western boundaries, with either close range views of proposed development above the existing boundary vegetation or where breaks in the boundary vegetation allows views into the Polo Club Site; and from in more distant views from PRow 012 from the more open elevated land to the west, introducing views of development into views where currently development is not a characteristic component of the existing view.
- 7.25 However, when considered in combination, whilst the proposed development of Polo Club Site would have slightly greater visual impacts, the increase in visual impact would still be limited to the immediate locality of both the Appeal Site and the Polo Club Site, with to a very limited extent in the wider surroundings, such that the following conclusion is relevant for both sites:

*... whilst the sites would be visible in glimpsed to partial close-range views from a limited number of roads, PRow and residential properties that lie in close proximity to the sites, due to a combination of vegetation and containing settlement pattern, the visual envelope of the sites is restricted to these close range views and very few medium range and long distance views from vantage points within the wider landscape to the west and south".*

#### Landscape Character

- 7.26 Proposed development of the Polo Club Site, in combination with the proposed development of the Appeal Site, would result in a greater loss of more open rural countryside. In contrast to the Appeal Site, the Polo Club Site sits within a wooded farmed landscape typical of the northern parts of LCA 10: St Stephen's Plateau, is influenced by urban fringe characteristics to a much lesser extent; and whilst devoid of any noteworthy landscape features characteristics of LCA 10: St Stephen's Plateau, is largely rural in character.

- 7.27 Proposed development on the Polo Club Site, in combination with the proposed development on the Appeal Site, would result in a greater incursion into the landscape to the west, albeit no greater west than the former Butterfly World and Garden of the Rose that contain proposed development on the Appeal Site, and with containment to proposed development on the Polo Club Site provided by the woodland belts on the western and northern boundaries.
- 7.28 The assimilation of the proposed development on the Polo Club Site into its immediate and wider would be more limited initially, without an existing landscape framework within to Polo Club Site to assist in absorbing development on the Polo Club Site, until landscape proposals matured, with the resultant potential greater visibility of any proposed development from the settlement edge to the east, PRowS 080 and 021 to the north and west, and the wider landscape.
- 7.29 There would be greater visibility of the proposed development on the Polo Club Site, than that of the Appeal Site, from the more open elevated landscape to the west, as illustrated by views from PRow 012, and, again, without an existing landscape framework within to Polo Club Site to assist in absorbing development on the Polo Club Site, until landscape proposals matured, there would be a greater visibility of any proposed development in the landscape, where currently there are limited views of development, and with a greater adverse effect on landscape character.
- 7.30 The greater incursion into the landscape to the west would be into an area of higher landscape and visual sensitivity, as a result the more open character of the landscape, the more elevated location, and the reduced influence of surrounding settlement, and as acknowledged by the SACDC February 2014 Green Belt Review (**CD 8.5**); and in not being contiguous with, or set within the existing settlement boundary, would result in a less satisfactory transition from settlement to wider landscape.
- 7.31 Proposed development on the Polo Club Site, in combination with the proposed development on the Appeal Site, would result in a major adverse effect at Year 1, reducing to a neutral effect at Year 15.
- 7.32 However, on considering the combined landscape and visual effects of proposed development on both the Appeal Site and the Polo Club Site, the conclusions for landscape and visual impacts would remain:

*.. while the proposed development on both sites will result in some significant adverse landscape and visual effects, these relate only to Year 1 only, with the level of adverse effect*

*significance typically diminishing rapidly as the landscape proposals become established. No significant (i.e. major or moderate) adverse residual effects will remain following establishment of the planting, that is at Year 15.*

#### Openness

- 7.33 The Polo Club Site is open, in being physically devoid of any substantial development, and therefore development of the Polo Club Site would result in the loss of openness across the Polo Club Site. The loss of physical openness would be contained to the Polo Club Site by the woodland belts to the north and west and vegetation along Chiswell Green. However, due to the proximity of PRoW 080 and 021 running along the northern and western boundary, proposed development on the Polo Club Site would be visible at close range, with the resultant perceived reduction in openness. Again, whilst there is a narrow conifer hedge along the eastern boundary of the Polo Club Site, proposed development would be visible above the hedge from The Croft and Cherry Hill and residential properties on The Croft and Cherry Hill which have open views towards the Polo Club Site, with the resultant loss of perceived openness, separate from the existing settlement edge. From these locations, views of proposed development would be seen where currently there are generally no views of built form. The lack of interior existing vegetation result in no opportunity to assimilate proposed development into a mature landscape structure, from the outset, being dependent on maturing landscape proposals to filter and soften views of proposed development, and to increase the visual enclosure across the Polo Club Site. When considered in combination, both the Appeal Site and the Polo Club Site would result in an increase in the loss of physical and perceived openness particularly from the locality of the Polo Club Site.
- 7.34 The perceived loss of openness from the wider Green Belt to the north, west and south would be remain limited, as views towards both the Appeal Site and the Polo Club Site would only be obtained from a small extent of the Green Belt and countryside to the west and south-west, where there are infrequent, partial and glimpsed views towards the Polo Site Club and Appeal Site. However, in combination, whilst there would be limited views of Proposed Development on the Appeal Site, these would be seen in the context of views of Chiswell Green, interspersed with vegetation adjoining the Appeal Site to the south and south-east, seen across the more open agricultural land to the west of the Appeal Site; there would be limited views of the proposed development on the Polo Club Site, introducing distant views of built form where currently there is generally none; with the combined reduction of perceived openness.
- Purpose 1: To check the unrestricted sprawl of large built-up areas
- 7.35 The Polo Club Site, like the Appeal Site, is not within the vicinity of any large built-up areas, nor is it part of a network of parcels to a strategic barrier against the sprawl of built-up areas.



- 7.36 As referred to earlier, *'Sprawl'* is defined as *"the outward spread of a large built-up area in an incoherent, sporadic, dispersed or irregular way"*, as set out in the BWnS Green Belt Review Methodology **(CD2.6)**. Likewise, in the SACDC Green Belt Review November 2013 **(CD8.3)**, *'sprawl'* is defined as *'spread out over a large area in an untidy or irregular way'*.
- 7.37 As the Polo Club Site does not adjoin the settlement edge, and is not directly surrounded by existing development on any boundary, it would not be integrated into the existing settlement edge of Chiswell Green, but would be segregated from the settlement by an open strip of land. Whilst proposed development on the Polo Club Site could be arranged in a well-designed way, it could be considered as an incoherent, dispersed or irregular form of development and contribute to sprawl as it is not connected to an adjoining settlement. However, the northern and western boundaries would be contained by existing woodland belts, and the southern boundary contained by the former Butterfly World and Garden on the Rose, south of the Chiswell Green Lane, containing any sprawl to the Polo Club Site. In considering the combined effect of proposed development of the Appeal Site and the Polo Club Site, this would result in an overall limited increase in the contribution of unrestricted sprawl but would not contribute to the outward spread of a large built-up area, therefore the combined Appeal Site and Polo Club Site would make a **limited contribution to Purpose 1**, with **limited harm to Purpose 1** of the Green Belt

Purpose 2: To prevent neighbouring towns merging

- 7.38 As referred to earlier, *'Neighbouring Towns'* are defined as referring to *"settlements identified within the relevant Local Plan and those within the neighbouring authorities' administrative boundary that abut the Green Belt"*; and is defined as *'Merging'* or *'Coalescence'* is defined as *"the physical or visual linkage of large built-up areas"* as set out in the BWnS Green Belt Review Methodology **(CD2.6)**. In the SACDC Green Belt Review November 2013 **(CD8.3)**, *'Neighbouring Towns'* are defined as *"1<sup>st</sup> Tier Settlements"* [with reference to SACDC] noting that *'Merging'* *"can be by way of general sprawl of ribbon development"*.
- 7.39 The both the Appeal Site and the Polo Club Site form a small part of the much wider swathe of Green Belt between the first tier settlements of St Albans, Hemel Hempstead and Watford. Therefore, neither is unlikely to play any role in preventing development that would result in the merging of, or significant erosion of the gap between, neighbouring settlements, with a sufficient swathe of Green Belt remaining providing the effective separation of neighbouring towns.

- 7.40 Whilst the proposed development of the Appeal Site and the Polo Club Site would result in a limited extension of built form to west, beyond the existing settlement of Chiswell Green, the western extent of proposed development on the Appeal Site would also be effectively contained by the former Butterfly World and its associated access, Miriam Lane, and the associated mounding and maturing structure planting; with the woodland belts on the western and northern boundaries containing proposed development on the Polo Club Site. Therefore, whilst there would be some loss of open land between the existing first tier settlements of St Albans and Watford, the Proposed Development on the Appeal Site would not result in the physical, or perceived, merging, or coalescence, of these towns, and a substantial swathe of largely open countryside would remain as functioning Green Belt, providing separation between them.
- 7.41 The Appeal Site and Polo Club Site therefore make **no contribution to Purpose 2**, preventing neighbouring towns merging into one another, and proposed development on both sites **would not prejudice, nor be harmful to, the function of Purpose 2** of the remaining Green Belt beyond both Appeal Site and the Polo Club Site.

Purpose 3: To assist in safeguarding the countryside from encroachment

- 7.42 As referred to earlier, *'Encroachment'* is defined as the *"advancement of a large built-up area beyond the limits of the existing built-up area into an area perceived as countryside"*, and *'countryside'* is defined as *"in planning terms: land outwith the settlement boundary; and/or in broader terms: the landscape of a rural area"*, as set out in the BWnS Green Belt Review Methodology **(CD2.6)**. The SACDC Green Belt Review November 2013 **(CD8.3)** defines *'encroachment'* as *"a gradual advance beyond usual or acceptable limits"*, and *'countryside'* as *"open land with an absence of built development and urbanising influences, and characterised by rural land uses including agriculture and forestry. Relevant landscape character or quality designations will be taken into account in assessing the role of the Green Belt in safeguarding the countryside"*.
- 7.43 Both the Appeal Site and the Polo Club Site make a partial contribution to safeguarding the countryside from encroachment as, whilst the Appeal Site is 'countryside' insofar as it is land outside the 'Specified Settlement Boundary' and within the Green Belt, much of the Appeal Site is strongly influenced by its existing urban fringe location, and some existing development on the Appeal Site, which detract from the character of the 'countryside', such that the Appeal Site does not exhibit the attributes of unspoilt countryside. However, the Polo Club Site does not adjoin the existing settlement edge of Chiswell Green and is influenced by urban fringe characteristics to a much lesser extent; is devoid of any noteworthy landscape features characteristics of LCA 10: St Stephen's Plateau, but largely rural in character. The proposed

development on the Appeal Site and the Polo Club Site would result in the loss of a small part of countryside, some of which is already affected by development. This loss of countryside would be physically, and largely visually, contained by the retained and enhanced vegetation on the northern and western boundaries, with the exception of views obtained from PRowS 080 and 021 running immediately along the northern and western boundaries of the Polo Club Site, and in particular from PRow 012, on more open elevated land to the further west of the Polo Club Site, where proposed development on the Polo Club Site would be visible, where there are limited components of development in the existing views. However, any further encroachment into the adjacent countryside would still be limited, with the much wider swathe of more open intact countryside remaining unaffected to the west of the Appeal Site and the Polo Club Site, with **limited harm to Purpose 3 of the Green Belt**.

- 7.44 In summary, as noted, when considered in combination, overall, the cumulative landscape and visual effects of both the Appeal Site and the Polo Club Site, would not result in any significant increase in long term landscape and visual effects. The Appeal Site is the better site for future development and for release from Green Belt, as it is supported by the SACDC Green Belt evidence base (with which I am in general agreement), and as the Polo Club Site makes both a greater contribution to the openness of the Green Belt and a greater contribution to the purposes of the Green Belt. However, both sites, due to their high level of containment, generally have a limited effect on the openness or purposes of the wider Green Belt, to the west of the sites; and therefore, both sites could come forward without undue effect on the wider Green Belt, subject to the planning balance exercise.

## 8.0 SUMMARY AND CONCLUSIONS

### Landscape Character

- 8.1 The Appeal Site sits within Landscape Character Area (LCA) 10: St Stephen's Plateau, as illustrated on **Figure LT1: Landscape Character Plan**. LCA 10 surrounds Chiswell Green to the east and north; adjoining the southern settlement edge of St Albans and the western edge of Park Street; and extending east to the London to St Albans Railway Line and much further west beyond the M1. The Appeal Site is therefore located on the edge of LCA 10, where it adjoins the western settlement edge of Chiswell Green, within the eastern part of LCA 10, and where there is a higher instance of settlement, and infrastructure, such as the A405 North Orbital Road, A414 North Orbital Road, Watling Street/Frogmore Road and the London to St Albans Railway Line.
- 8.2 The Appeal Site is only partially representative of Landscape Character Area (LCA) 10: St Stephen's Plateau, in that it comprises medium scale fields, with the settlement edge of Chiswell Green prominent on the southern, eastern and north-eastern edges of the Appeal Site. As noted in the 'Visual Impact' section of the character area description, *"the raw built edges of Chiswell Green and How Wood represent significant suburban impact"*, and this strongly influences the character of the Appeal Site, being affected by the detracting influence of the western settlement edge of Chiswell Green which adjoins the Site to the north, east and south, such that the Appeal Site and its immediate context sit within an urban fringe landscape with a strong relationship with the settlement edge.
- 8.3 The character of the Appeal Site is not characteristic of the wider LCA 10, as the fields are not open arable fields, but grazed horse paddocks subdivided with post and rail and post and wire fencing, with a degree of clutter associated with horse keeping and its settlement edge and urban fringe location, and with a high degree of enclosure provided by the surrounding existing settlement on the north-eastern, eastern and southern boundaries and vegetation on the western and south-western boundaries.
- 8.4 The Appeal Site is therefore set part within the existing settlement edge of Chiswell Green, and between the settlement edge of Chiswell Green, and the former Butterfly World and Garden of the Rose, both of which are not representative of LCA 10 and which separate the Appeal Site from the wider landscape to the west of the Appeal Site. The mounding and maturing structural landscape associated with the access to the former Butterfly World, combined with the existing hedgerow and mature tree belts on the western boundary of the Appeal Site, provide substantial enclosure and containment to the Appeal Site to the west. The Appeal Site

is therefore located within the transition from settlement to the east and the wider landscape to the west and south-west, beyond the former Butterfly World and Garden of the Rose. Furthermore, the surrounding landform and vegetation combine to limit the visibility of the Appeal Site from the wider area, thus limiting the influence of the Appeal Site over the more open wider landscape to the further west.

- 8.5 However, the Proposed Development provides the opportunity for the improvement of the landscape through mitigation as part of the Proposed Development, in particular, the opportunity to retain, supplement and enhance the western boundary, to soften and mitigate the settlement edge of Chiswell Green on the adjoining countryside.
- 8.6 The overarching principles for the landscape strategy would provide a framework for development on the Appeal Site that reflects the local characteristics and responds to the guidance set out for the St Stephen's Plateau LCA 10, including through hedgerow restoration following the pattern of historic field boundaries, providing visual and ecological links between existing woodland areas; creation of smaller copses linking with hedgerow restoration on the open arable areas, emphasising topographical variation; and broadening the range of recreational opportunities.
- 8.7 The Proposed Development includes a central green spine connecting publicly accessible green spaces, as well as the restoration and reinforcement of the western boundary, enabling the creation of a strong settlement edge with a clear transition to the countryside to the west. All these elements would improve the connectivity of existing landscape features, increase the accessibility of the landscape and strengthen the amenity value of the Appeal Site. The delivery of a comprehensive landscape framework on the Appeal Site would help to improve the contribution of the Appeal Site to the local sense of place and reinforce local identity.
- 8.8 The LVIA acknowledges that at Year 1 there would be a major adverse effect to the landscape character of the Appeal Site, reducing to a neutral effect at Year 15. The LVIA also records a minor adverse effect on LCA 10: St Stephen's Plateau in Year 1, reducing to negligible adverse at Year 15, and a negligible adverse effect on NCA 111: Northern Thames Basin at Year 1, reducing to a neutral effect at Year 15. Therefore, in summary, as set in Paragraph 9.11 of the LVIA, and quoted in the Committee Report, **(CD3.4)**, Paragraph 8.5.7, Page 102, in the long term:

*"The Proposed Development would not cause any substantial changes to the character of the landscape within the [Appeal] Site or the wider area but would extend the existing settlement*

*edge into the [Appeal] Site. The new residential development would be at an appropriate location and of an appropriate scale to be successfully assimilated into the existing settlement of Chiswell Green, with limited effect on the wider landscape to the west."*

- 8.9 The Committee Report, with regard to landscape character, concludes at Paragraph 8.5.17 Page 104, that:

*"In light of the above discussion [with the HCC Landscape Officer], the landscape and visual impact of the proposed development is considered acceptable. Nevertheless, it is considered that the introduction of built form across the existing fields would cause some harm to the local landscape character, to which some limited weight is given."*

- 8.10 This accords with my assessment on the effect on landscape character, in that development within the Appeal Site would introduce housing to an area of land on the western edge of Chiswell Green already influenced by its urban fringe location. The development would directly relate to the existing settlement edge and reinforce the existing settlement pattern by a rational rounding off of the settlement of Chiswell Green. It would also provide an opportunity to create a robust and permanent boundary to the settlement, and assimilate it into the immediate and wider context, with limited detrimental effects on landscape character or appearance of the landscape beyond the Appeal Site, and therefore very limited harm to the wider landscape character beyond the Appeal Site.

## **Green Belt**

### Openness

- 8.11 I am of the opinion that the Appeal Site exhibits a limited perception of openness beyond the extent of the Appeal Site due to the restricted extent of visual connection to the wider landscape. The existing western boundary vegetation would be retained and enhanced, and this would serve to contain introduced built forms on the Appeal Site and thus limit any further impact upon the openness of the Green Belt beyond the Appeal Site. As a result, there would be some loss of physical and perceptual openness on the Appeal Site, as would be inevitable on the development of any greenfield site. The loss of physical openness would arise from development of 59% of the Appeal Site compared with the current 4%, and some loss of perceptual openness, which would be limited to the Appeal Site and its boundaries. This would result in **moderate harm with regard to the physical, or spatial, openness of the Green**

**Belt, but this would be restricted to the Appeal Site itself, with no effect on the physical openness and a barely perceptible to no effect on the visual openness of the remaining Green Belt to the south-west and west.**

- 8.12 This accords with the opinion of the SACDC Officers, regarding the effect on the openness of the Green Belt, as set out in Paragraphs 8.3.7 to 8.3.9, Page 94, which state that:

*"The construction of up to 391 dwellings plus associated infrastructure on the site would clearly represent a significant permanent loss of openness in spatial terms to this part of the Green Belt, ...*

*In relation to the visual aspect of openness, regard must be had to the Landscape and Visual Impact Assessment (LVIA) submitted with the application, in so far as it relates to the impact of the development on the openness of the Green Belt. ... Officers are of the view that the LVIA demonstrates a low level of impact on the perception of open Green Belt countryside to the north and west. This means that whilst there is spatial harm to openness as a result of the proposals, there is no additional harm to openness as a result of the limited visual impact on the openness of the Green Belt."*

Purpose 1

- 8.13 In my opinion, as supported by the BWnS Green Belt Review, the Proposed Development would replace the existing sporadic and dispersed development on the Appeal Site, with the removal of the existing clutter on the Appeal Site. In contrast the Proposed Development would be well designed and integrated into the existing settlement edge of Chiswell Green, with an enhanced western boundary to soften, screen and filter the western edge of the Proposed Development, with an improvement to the appearance of the western settlement edge of Chiswell Green. As such, it would not constitute sprawl in that it would not be incoherent, sporadic, dispersed or incoherent. Whilst there would be a minimal outward spread of development, this would be contained by not only by an existing enhanced, robust, coherent and well-defined western Appeal Site boundary, but also contained to the west by the existing development of the former Butterfly World and associated access, mounding and maturing structure planting. Proposed Development on the Appeal Site would, therefore, **not contribute to unrestricted sprawl, and would not be harmful of Purpose 1 of the Green Belt**, but instead would constitute a well-planned, contained and logical rounding off of the existing settlement of Chiswell Green.
- 8.14 This accords with the opinion of the SADCD Officers as set out in the Committee Report at Paragraph 8.3. 22 (a), Page 96, with states that:

*"The site is directly adjacent (west) to the settlement of Chiswell Green and will effectively provide an extension to this settlement. The site is bound by Miriam Lane to the west, providing a strong a defensible barrier and restricting the sprawl of Chiswell Green into the wider area. The western boundary has existing trees and hedges, which will be retained and enhanced through the proposals, which include a landscape buffer of at least 5m along the entire western boundary to further strengthen the western boundary of the site. The proposal is therefore not considered to represent unrestricted sprawl and there is not considered to be any significant harm to this Green Belt purpose."*

Purpose 2

- 8.15 The Proposed Development would result in a very limited extension of built form to west, beyond the existing settlement along Chiswell Green Lane to the immediate north, no more than approximately 150m, and the western extent of existing settlement of Chiswell Green to the south of the Appeal, no more than approximately 140m, as evident on **Figure LT1: Appeal Site Context Plan**.
- 8.16 In addition, the western extent of Proposed Development would also be effectively contained by the former Butterfly World and its associated access, Miriam Lane, and the associated mounding and maturing structure planting. Therefore, whilst there would be some loss of open land between the existing first tier settlements of St Albans and Watford, the Proposed Development on the Appeal Site would not result in the physical, or perceived, merging, or coalescence, of these towns, and a substantial swathe of largely open countryside would remain as functioning Green Belt, providing separation between them, as supported by the BWnS Green Belt Review.
- 8.17 I am, therefore, of the opinion that the Appeal Site therefore makes **very limited to no contribution to Purpose 2**, preventing neighbouring towns merging into one another, and Proposed Development on the Appeal Site **would not prejudice, nor be harmful to, the function of Purpose 2** of the remaining Green Belt beyond the Appeal Site.
- 8.18 Again, this accords with the opinion of the SADCD Officers as set out in the Committee Report at Paragraph 8.3. 22 (b), Pages 96 and 97, with states that:

*"The development of this site would introduce built form between Chiswell Green and Hemel Hempstead, however the north west of the site is bound by existing development – the former Butterfly World. In any case, a significant gap would be maintained to Hemel Hempstead. The integrity of the gap*



**between St Albans and Watford would be maintained. Very limited harm is identified in relation to this purpose.**

### Purpose 3

- 8.19 I am of the opinion that the Appeal Site only makes a **partial contribution** to safeguarding the countryside from encroachment as, whilst the Appeal Site is 'countryside' insofar as it is land outside the 'Specified Settlement Boundary' and within the Green Belt, much of the Appeal Site is strongly influenced by its existing urban fringe location, and some existing development on the Appeal Site, which detract from the character of the 'countryside', such that the Appeal Site does not exhibit the attributes of unspoilt countryside. The Proposed Development of the Appeal Site would result in the loss of a very small part of countryside, already affected by development. This loss of countryside would be physically and visually contained by the retained and enhanced vegetation on the western boundary, thus preventing any further encroachment into the adjacent countryside, with the much wider swathe of more open intact countryside remaining unaffected to the west of the Appeal Site, the former Butterfly World and the Garden of the Rose. Therefore, the **harm to Purpose 3 is very limited and contained to the Appeal Site itself.**
- 8.20 This broadly correlates with the opinion of the SACDC Officers as set out in the Committee Report at Paragraph 8.3. 22 (c), Page 97, with states that:

*"The site is bound to the east and south by existing residential development, whilst the north of the site is bound by Chiswell Green Lane. The west of the site is bound by the former Butterfly World and Miriam Lane, creating a physical barrier to the open countryside, which was noted in the SKM Green Belt review 2013:*

- "the sub-area identified on pasture land at Chiswell Green Lane displays urban fringe characteristics due to its proximity to the settlement edge and Butterfly World along Miriam Road to the west. This development bounds the outer extent of the pasture land and creates a physical barrier to the open countryside. The pasture land also displays greater levels of landscape enclosure due to localised planting along field boundaries."*

*"The site has urban fringe characteristics, which was also noted in the SKM Green Belt review 2013. As a result of the locational characteristics, the proposals would only have a localised effect on the Green Belt. The broad purpose of the Green Belt in this location would remain, and the encroachment into the countryside would not be significant. However, the existing site comprises four open fields, with built form limited to the north west and north east of the site. The proposals would therefore encroach into an existing area of countryside, although further encroachment beyond the site would be restricted by the clearly*

*defined site boundaries. Low to moderate harm is identified in relation to this purpose.*

## Conclusions

- 8.21 With regard to the alleged harm to the Green Belt caused by the Proposed Development due to the harm to the Green Belt purposes relating to encroachment to the countryside [Purpose 3], urban sprawl [Purpose 1] and merging of towns [Purpose 2], as set out in RfR 1; I am of the opinion, based on reference to the BWnS Green Belt Review and my own assessment, that the Appeal Site makes a **Partial** contribution to Purpose 3, **No contribution** to Purpose 1, and a **Very Limited to No Contribution** to Purpose 2.
- 8.22 This broadly correlates with the opinion of SACDC Officers as set out in the Committee Report, with the SACDC Officers noting that with regard to Purpose 3 *"the encroachment into the countryside would not be significant"* with *"further encroachment beyond the site [being] restricted by the clearly defined site boundaries"*, with *"Low to moderate harm identified in relation to this purpose"*; with regard to Purpose 1 the Proposed Development is *"not considered to represent unrestricted sprawl and there is not considered to be any significant harm to this Green Belt purpose"*; with regard to Purpose 2, **"very limited harm is identified in relation to this purpose"**.
- 8.23 Again my assessment of the contribution that the Appeal Site makes to Purposes 1, 2, and 3 of the Green Belt is further validated with reference to SACDC's own evidence base, that is with reference to the SACDC November 2013 Green Belt Review **(CD8.3)** and then the subsequent SACDC February 2014 Green Belt Review **(CD8.5)** which identified Sub-Area S8 as making a limited or no contribution to four of the five purposes of the Green Belt, Purposes 1, 2, 4, and 5, and a partial contribution to one, Purpose 3) of the five purposes.
- 8.24 There is, therefore, a high degree of agreement in terms of the contribution that the Appeal Site makes to the purposes of the Green Belt and the harm arising from Proposed Development on the Appeal Site. It is also of note that, considering the level of contribution and harm, SACDC's own evidence identified that Sub-Area S8, the Appeal Site, is *"considered to make the least contribution towards the Green Belt purposes as compared to all of the nine sites assessed"* [identified for further consideration in the SACDC Green Belt Review February 2014]. It indicates a residential capacity for the Appeal Site of between 270 and 450 dwellings; and ranks **Sub-Area S8 as the highest of nine sites for suitability for release from the Green Belt and future development**. Furthermore, **an area which correlates with the extent of the Appeal Site is identified within Sub-Area S8 'Land for potential Green Belt release'**.

- 8.25 Therefore, not only is Sub-Area S8 identified as the most suitable area within St Albans City and District for release from Green Belt, but within Sub-Area S8, the area correlating with the extent of Appeal Site is identified as the boundary of land for potential Green Belt release and for accommodating urban development areas, infrastructure and public open space.
- 8.26 Therefore, in addition to the generally agreed overall limited harm identified, SACDC's own evidence base identifies the Appeal Site as suitable for release from Green Belt and future development.
- 8.27 Therefore, in conclusion, with regard to the alleged harm purported to be caused by the Proposed Development due to the harm to the Green Belt openness and purposes relating to encroachment to the countryside, urban sprawl and merging of towns, and the relating to landscape character, I would respectively request that the Inspector takes into account the considerable evidence that demonstrates the limited harm arising from the Proposed Development, both to the openness and purposes of the Green Belt, and landscape character; the high degree of agreement between the Appellant and the SACDC Officers with regard to that harm; and the well established SACDC evidence, in particular the SACDC Green Belt Reviews of 2013 and 2014, which have identified that the Appeal Site is the most suitable site within the St Albans City and District for release from Green Belt and for development, and which SACDC have confirmed are relevant to the determination of applications and they remain applicable to the Appeal Site.