

LANDSCAPE APPRAISAL

Baileys Close Farm, Breachwood Green

Demolition of Outbuildings, construction of Industrial building with associated parking & landscaping with alteration to existing access



JULY 2021



INTRODUCTION

This appraisal looks at the proposed demolition of all the buildings on site save one, the construction of a new building and alteration of the present access to wheeled traffic from Pasture Lane.

DEVELOPMENT SITE & LOCATION

This is a site of approx. 0.44 Ha. formerly used for vehicle repairs. It is surrounded on the west sides by farmland with a public footpath running parallel to this boundary of the site. About 60m of fencing and a line of cypresses trees have been removed from the west boundary. To the south is the rear garden of The Bungalow with a 5m hedge along the mutual boundary. Continuing in an anti clockwise direction Pasture Lane forms the boundary with the site boundary being defined by a hedge. Last there is the present entrance being double gates formed with a steel frame and chain link fencing.

A location plan is attached to this report.

DEVELOPMENT PROPOSAL

To demolish all the buildings except that building adjoining the west boundary by the present entrance. To construction a new building with sufficient turning space for commercial vehicles and car parking for staff. As permitted development a 2m boundary wall is to be formed 1m inside the west boundary to replace that previously removed. To alter and reposition the existing main entrance to the site.

A proposed site plan is attached to this report.

PUBLIC RIGHTS OF WAY

The site may be seen from the public footpath along the west boundary. At the date of writing the site is open so that the collections of buildings and structures are visible to the walker. There are other footpaths and bridleways around Breachwood Green and all of these are addressed in the appraisal below. Given the topography and woods, views of the site other than from the one footpath and Pasture Lane are limited.



LANDSCAPE POLICY AND CHARACTER

The Local Plan No 2 dates from 1996. A new local plan is being made, the EiP has closed and the Further Main Modifications have been out for consultation. We therefore attached weight to the emerging plan. Breachwood Green is a Category A village and development will be permitted within the defined village boundary. The Green Belt will no longer wash over the village. And the new plan proposes new housing in the village. As regards landscape the new key policy is NE1. We return to this policy in our conclusions.

The assessment and evaluation of the District's landscape including Breachwood Green Ridge was updated in 2011 on behalf of the Council. The ridge runs from Hop End north west to the edge of Luton at Beech. Breachwood Green is approximately in the middle of this ridge where the Luton Airport final approach crosses this landscape character area. The area is number 202 in the assessment document. Overall the area is considered to be of '*moderate low landscape value*'. (Page 48).

APPRAISAL OF THE PROPOSAL IN THE LANDSCAPE

The attached 1/10,000 plan indicates the camera positions for the eight photos also attached taken in May/June 2021.

Photo 1 is of the present access gates which are to be removed and the gap closed with new hedgerow planting except for a 900mm wicket gate for pedestrians.

Photos 2 and 4 are of the present west boundary with no fencing showing the collection of buildings at present on site.

Photo 3 looks the other way from the public footpath, westward across the valley, to Luton Airport.

Photo 5 looks north towards the site from the public footpath. Which is behind the mature oak tree in the corner of the field at its meeting with the garden of The Bungalow.

Photo 6 shows the high hedge and boundary fence to the garden of The Bungalow and one of the buildings to be removed.

Photo 7 looks towards the site from the footpath running SE from Breachwood Green to Greathouse Wood and beyond. The existing tower may be just seen beyond the tree line.

Last Photo 8 looks the other way at the present village edge where it meets the farmland. It is open unlike the boundaries to Bailey's Farm and the subject site which are visually enclosed.



The 1/10,000 plan also shows all of the highways and other public rights of way together with the final approach/ departing flight path to/from Luton Airport.

Our appraisal suggests that the assessment evaluation and guidelines in the 2011 study remains valid. When viewed from a distance of more than 400m the site is lost behind the landform, hedges and woods. The only distant view in the public realm is that shown in our photo 7. Moving closer between 400 and 100m the same applies with the site only being readily seen, at less than 100m, from Pasture Lane looking south from the junction with Bailey's Lane and from the footpath to the west.

The site is visually enclosed except for the present entrance and the west boundary. The effect of re-fencing the site and replacing the non native trees previously removed and reinforcing the hedging around the site and new access will maintain the discrete nature of the site. All of this is shown in the proposed landscaping plan and illustrative view from the west attached to this report.

GREEN BELT 'OPENESS'

This issue came before the Supreme Court in 2020. The court upheld, that

"[Openness] is a matter not of legal principle but of planning judgement for the planning authority or the inspector" [25] ... "...There was no error of law on the face of the report. Paragraph 90 [now NPPF146] does not expressly refer to visual impact as a necessary part of the analysis, nor in my view is it made so by implication. As explained in my discussion of the authorities, the matters relevant to openness in any particular case are a matter of planning judgement, not law." [39]

And went onto to in effect restate the approach taken in *Turner [2016] EWCA Civ 446* that the concept of 'openness in the green belt is not narrowly limited to the volumetric approach suggested by Counsel. The word 'openness' is open textured and a number of factors are acceptable as being relevant ... Prominent amongst these factors will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs... and factors to the visual impact on the aspect of openness which the Green Belt presents' [25]

CONCLUSIONS

- * The site is vacant and following the removal of trees and fencing to the west boundary has an adverse visual impact
- * The lawful use of the site is for industrial purposes and in addition the remaining buildings and land, being lawful, have permitted development rights.
- * The redevelopment of the site will include the fencing of the west boundary and landscaping to this boundary and the altered/repositioned entrance.



* On balance this will be an improvement on the present situation or the continuing use/enlargement of the present buildings

* Policy NE 1 of the emerging local plan has four points:

i) Development shall respect the sensitivity of the landscape. As determined by the 2001 study this location has a moderate low landscape value. The proposal will respect this sensitivity.

ii) There shall be no detrimental impact on the landscape. We suggest to the contrary, there will be an improvement.

iii) Retention of landscape features. That lost is to be replaced with native species.

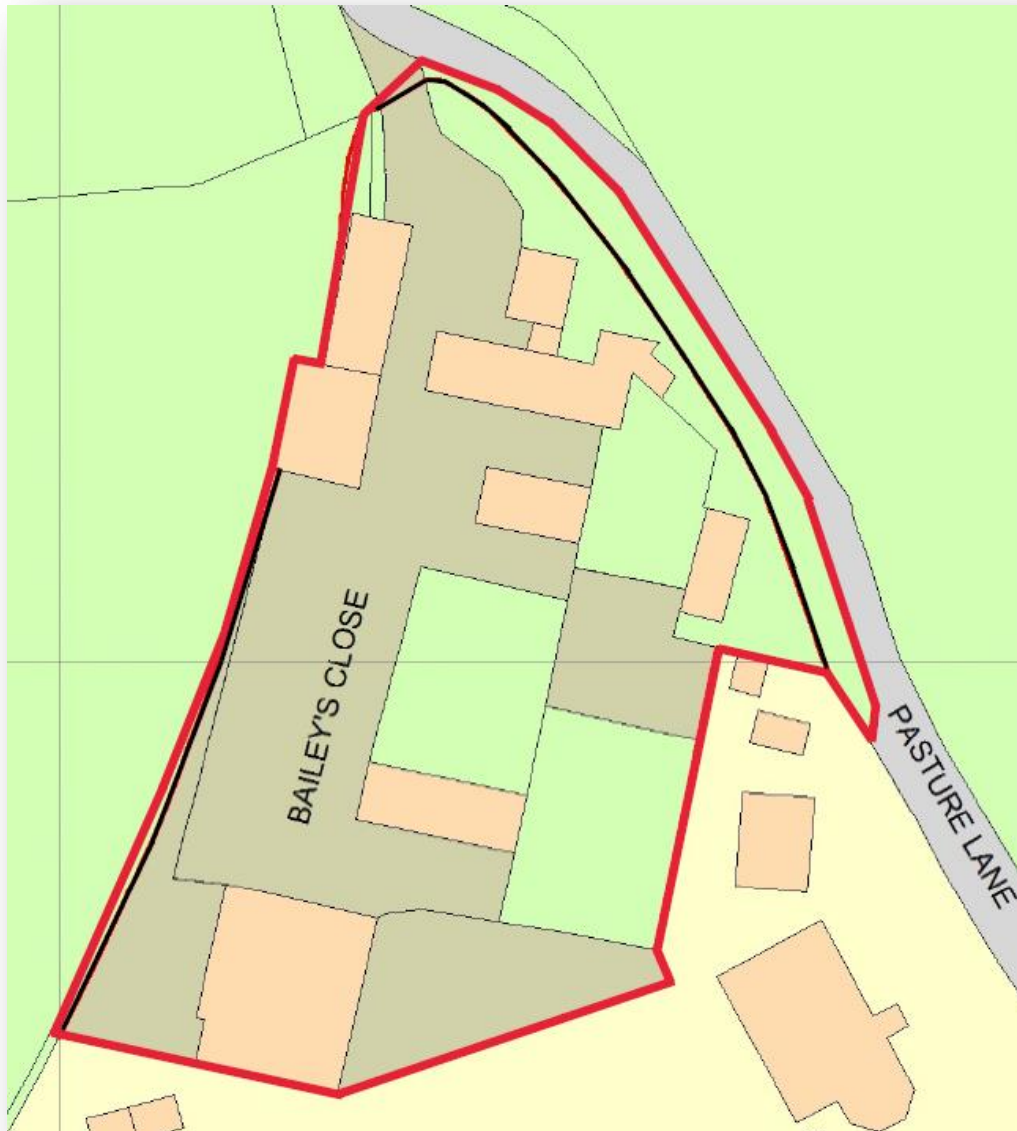
iv) The need for long term management and maintenance. Currently there is no such provision but the redevelopment may enable this.

We conclude that this policy is respected.

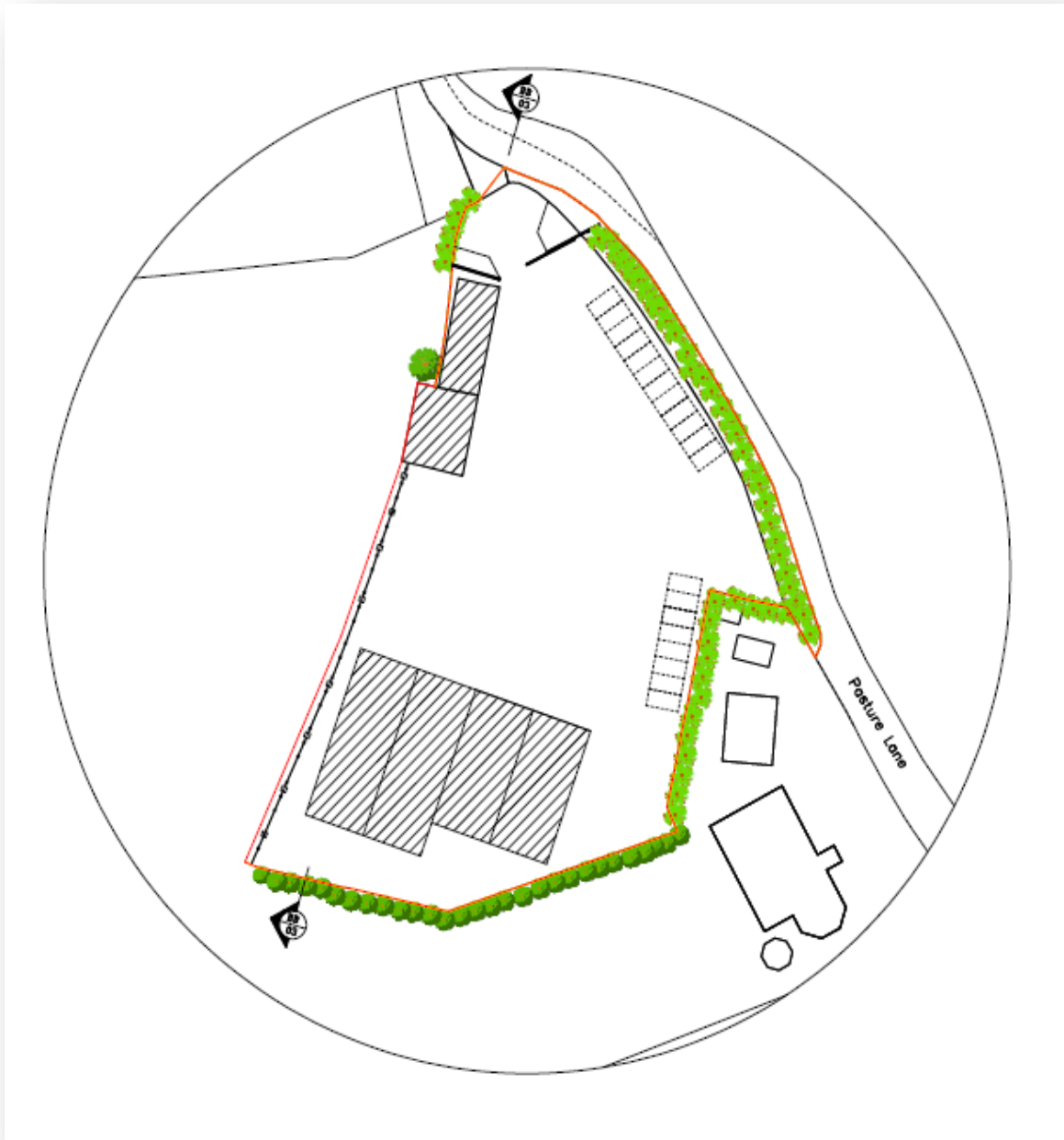
Enclosures:

- Location plan
- Proposed site plan
- Landscape appraisal plan
- Photos 1 to 8
- Proposed landscaping plan
- West Elevation, existing and proposed

LOCATION PLAN



PROPOSED SITE PLAN



PROPOSED LANDSCAPE APPRAISAL PLAN

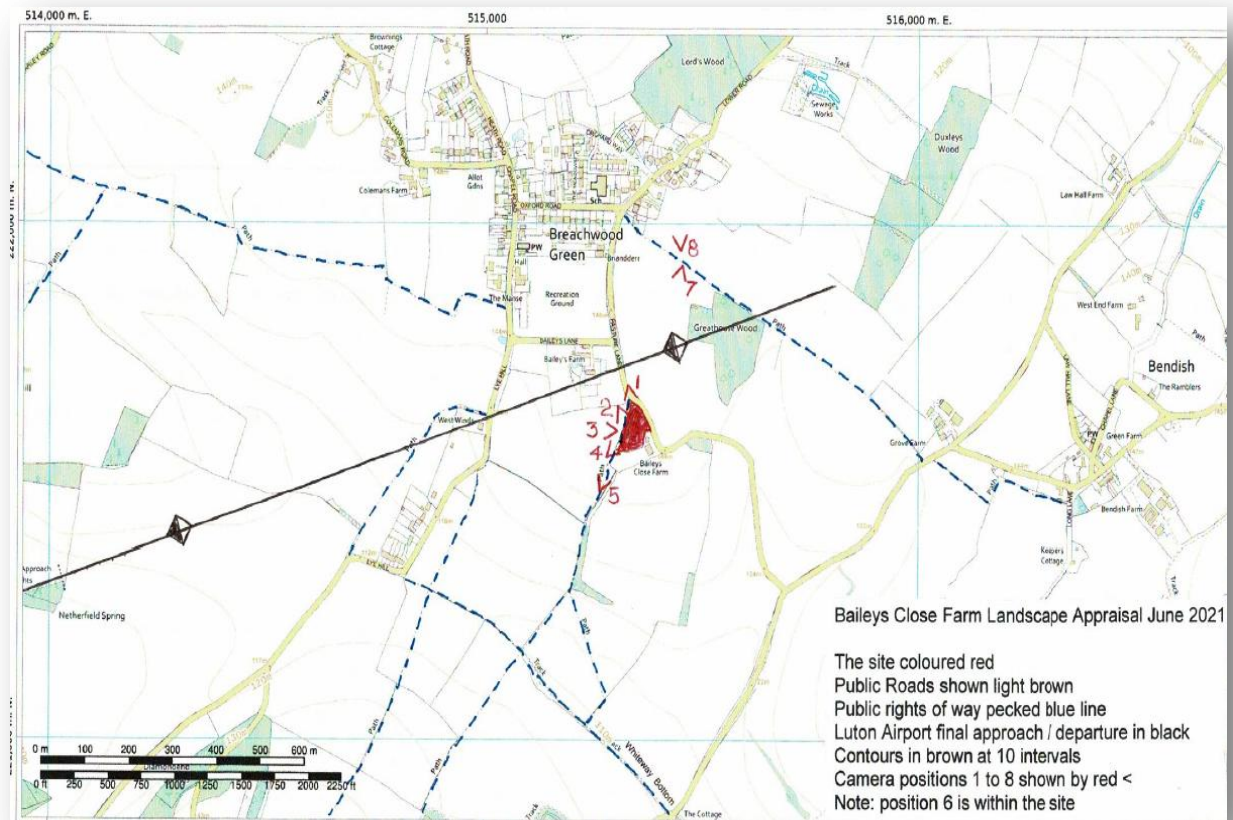


PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5



PHOTO 6



PHOTO 7



PHOTO 8



[illegible]

WEST ELEVATION EXISTING/PROPOSED

