

SUPPLEMENTARY PLANNING GUIDANCE – LANDSCAPE CHARACTER ASSESSMENT

Report By: Head of Planning Services

Wards Affected

1. All

Purpose

2. a) To consider the representations made in relation to the draft Landscape Character Assessment SPG
- b) To agree amendments to the draft SPG
- c) To adopt the amended SPG as interim policy guidance pending the eventual adoption of the Unitary Development Plan

Financial Implications

3. a) Future printing costs of the revised adopted document.
- b) Costs of providing training in the use of the LCA, particularly to Development Control Officers

It is anticipated that these can be met from existing budget provisions.

Background

4. In September 2002, the Council published draft Supplementary Planning Guidance (SPG) on Landscape Character Assessment (LCA) as one of a series of SPG documents associated with the Unitary Development Plan. The Landscape SPG in particular is intended to provide the framework within which development and land management proposals can be designed and assessed in relation to their impact on landscape character.
5. The introduction of SPG documents is being phased, but the Landscape Character Assessment SPG was one of a number of drafts issued for consultation at the same time as the Deposit Draft UDP. The responses received have therefore been taken into account in the proposed changes to both the UDP Landscape policies and the SPG itself. A report on the proposed SPG changes has had to await completion of all the proposed changes to the UDP, which were approved by the Council on 5th March 2004. It is important that the SPG is adopted under the existing development plan system before the commencement of the relevant provisions under the new Planning and Compulsory Purchase Act. Otherwise, it will come under new provisions relating to Supplementary Planning Documents (SPD) and considerable delay may be incurred in securing adoption.
6. Once the proposed changes to the SPG have been approved, it is planned that the document will be published as 'interim' policy guidance. This interim status is firstly

because the UDP landscape policies could be subject to further changes following the consultation on the Revised Deposit UDP and the subsequent Public Inquiry procedure, and secondly because the commencement of the new Planning Act will change the framework within which development planning and supplementary planning guidance operate. Some uncertainties may therefore remain about the final form and content of the SPG/SPD during this period of transition.

Contents of the Landscape SPG

7. The SPG is both an analytical tool and a guide to managing sustainable change in the landscape. As an analytical tool, it records how the landscape character of the County has developed, identifies landscape types and areas and helps to determine what comprises local distinctiveness. The County's LCA was undertaken with advice from a specialist consultant supported by the Countryside Agency. Latest advice from the Countryside Agency in its shortly to be published "Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity" quotes Herefordshire Council's Landscape Character Assessment as an example of "best practice" within this subject area. Extensive research over several years during the preparation of the LCA has provided a large database to support the SPG, affording a highly detailed picture of the landscape character down to a very local level. A technical handbook is also being produced, setting out detailed methodology, further descriptions and extensive raw data. As a guide to managing landscape change, the SPG addresses the resilience and sensitivity of different landscape types or characteristics to the pressures of modern land use and management.
8. The SPG seeks to explain the current concepts of landscape and landscape character and to offer guidance in the application of the Landscape Character Assessment to professionals and lay persons alike. It is intended to promote the use of landscape assessment as part of the development control process, to increase awareness of the countryside's character and to ensure that future development is compatible with that character. It is also intended to be accessible to anyone who requires information about the Council's policy and practice for the conservation, enhancement and restoration of the rural landscape.

Relationship to the UDP

9. The consultation paralleled that undertaken for the Deposit Draft UDP, running from September to December 2002 and then extended to 31st January 2003 to allow all comments to be made. Representations on the SPG were received from 29 organisations or individuals, and a total of 172 individual comments were made. These have been summarised in tabular form, together with an officer response and a recommendation for change or no change to the document. [A copy of the full, tabulated schedule accompanies this report as Appendix A. Where amendments are proposed, reference is made to the relevant item number(s) in Appendix B.]
10. The most serious overall concern regarded the perception that, contrary to statements made in clauses 2.1.5, 2.3.5, 3.4.8 of the SPG, a new local landscape designation was, in effect, being set up through the identification of Areas of Least Resilience and that this would effectively prevent development. This concern was also expressed in objections to UDP Policy LA2. In response to this objection in principle, additional explanatory wording has been inserted into Chapter 9 para 9.4.10 of the UDP, which now states :

“Plan policy LA2, set out below, seeks to retain and enhance landscape character and to minimise the impact of landscape change, particularly that arising from new development. The Assessment employs the concept of ‘areas least resilient to change’ to signify those parts of the County where landscape character is especially vulnerable to new development. These landscapes are identified on the proposals map. This precautionary approach is used partially as a strategic tool to direct major new development away from such areas where possible. However, there will not be a general ‘presumption against development’ in these areas. The intention is not to prevent necessary development in these areas per se, but to ensure that development respects landscape character. This will be achieved either by resisting inappropriate new development that would cause unacceptable adverse change to landscape character, or by accommodating it only if it can be demonstrated that landscape character can be protected adequately or that the proposed development can satisfactorily mitigate the impacts or compensate for them. It must be stressed that areas least resilient to change are not intended as a new blanket local countryside designation to restrict development uniformly across an area, but as a sensitive tool for assessing landscape impacts of proposed development before decisions are made. Nor is the intention that the whole landscape will necessarily be sacrosanct in areas least resilient to change. New development may be appropriate as long as it is not damaging the key characteristics within the landscape.”

Overall Response to the Consultation

11. Overall, comments received regarding the Landscape SPG can be broadly divided into those concerned with:
 - **the methodology and application** of the assessment, including the user-friendliness of the ‘front end’ of the SPG and Appendix A;
 - **the outputs of the assessment** - in terms of the areas identified, their characteristics and features, and their resilience to change;
 - the inclusion of particular localities in, or their exclusion from, the **areas least resilient to change**;
 - the implications of the SPG for future **development and land management**, particularly for potential restraints on what will or will not be permitted;
 - **minor omissions**, errors of fact or typographical errors.
12. The following sections summarise the comments under these categories and set out the officers’ responses, including whether or not changes to the SPG are proposed as a consequence.

Comments: Methodology and Application

- 13 85 comments have been received relating to the methodology and application of the assessment, including the user-friendliness of the ‘front end’ of the SPG and Appendix A. Wherever possible, and where there would be no resultant change in meaning, these have been incorporated into the SPG revisions, but those that object in principle to all or part of the methodology have not been accepted because their acceptance would undermine the integrity of the study methodology that has been agreed with the Countryside Agency and is being used by other local authorities. Of the 85 comments, 47 have resulted in changes to the text.

Comments: Outputs of the Assessment

14. 46 comments relating to the outputs of the assessment in terms of the areas identified, their characteristics and features, and their resilience to change have been received. Where accommodating representations does not result in a change of meaning or is not contrary to the methodology, they have been included in the revised SPG. 10 comments have resulted in changes to the SPG.

Comments: Areas Least Resilient to Change

15. Only 2 comments were received regarding the inclusion of particular localities in, or their exclusion from, the areas least resilient to change. These have not been accepted as to do so would compromise the analytical methods of the LCA.

Comments: Implications for Development and Land Management

16. 11 comments have been received in relation to the implications of the SPG for future development and land management, particularly for potential restraints on what will or will not be permitted. Most of these comments relate to matters outside the remit of the SPG. Only 2 comments were considered pertinent and have resulted in changes to the text.

Comments: Minor omissions

17. 14 comments were received regarding minor omissions or additions, rewordings, typographical and factual errors. These have all been accepted and resulted in change.

Comments: In Support

18. 14 expressions of support have been received.

Additional Proposed Changes to the SPG

19. Add further explanation in Section 2.3 regarding Government Draft Planning Policy Statement (PPS)7, which has been published since the draft SPG was prepared.
20. Add further explanation in Section 2.3 regarding Government Regional Planning Guidance for the West Midlands, which has been published since the draft SPG was prepared.
21. Renumber paragraphs and references as required by revisions.
22. Update the Foreword.

RECOMMENDATIONS

THAT IT BE RECOMMENDED TO THE CABINET MEMBER (ENVIRONMENT) THAT:

- (a) **the volume and content of the comments received on the Landscape Character Assessment SPG consultation and set out in Appendix A to this report be noted;**

- (b) the revisions proposed by officers and set out in Appendix B to this report be approved;
- (c) authority be given to undertake minor changes such as correcting typographical errors and paragraph re-numbering and updating text to take into account new Government guidance as appropriate;
- (d) the revised Landscape Character Assessment SPG be adopted and published as interim guidance, pending adoption of the Unitary Development Plan.

BACKGROUND PAPERS

Herefordshire Unitary Development Plan - Deposit Draft, September 2002; Revised Deposit Draft, May 2004. Herefordshire Council,

Supplementary Planning Guidance – Landscape Character Assessment (Draft). Herefordshire Council, September 2002.