

## LOCAL PLAN SUB COMMITTEE - 16 JUNE 2020

### PART I –NOT DELEGATED

#### 9. LOCAL PLAN – TOPIC PAPER: LANDSCAPE CHARACTER (DCES)

##### 1 Summary

- 1.1 This topic paper sets out the issues which the new Local Plan will need to address in relation to landscape and proposes policy wording to be contained within the new Local Plan.

##### 2 Details

- 2.1 The landscape of Three Rivers is a complex mix of rural and urban areas, woodlands, wildlife habitats, farmland, water features and other land forms. Wildlife habitats such as meadows, woodlands, hedgerows, orchards and wetlands are valued components of the landscape and have their own special management requirements.

- 2.2 National Planning Policy Framework (NPPF) states that:

- strategic policies in a Local Plan should make sufficient provision for the conservation and enhancement of the natural, built and historic environment including landscapes and green infrastructure<sup>1</sup>.
- planning policies should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)<sup>2</sup>.
- planning policies and decisions should contribute to and enhance the natural local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)<sup>3</sup>.
- great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues and the scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest<sup>4</sup>.
- consideration of such applications should include an assessment of<sup>5</sup>:
  - a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

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<sup>1</sup> NPPF Paragraph 20 d)

<sup>2</sup> NPPF Paragraph 127 c)

<sup>3</sup> NPPF Paragraph 170 a)

<sup>4</sup> NPPF Paragraph 172

<sup>5</sup> NPPF Paragraph 172

- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
  - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 2.3 Three Rivers incorporates 546 hectares of the Chilterns Area of Outstanding Natural Beauty (AONB), which is of national landscape importance, generally made up of a mosaic of woodland, copses, enclosed pastures, arable fields, wooded and open heath and scattered farms and villages, overlying rolling hills and valleys. The parts of the AONB within the District consist largely of chalk stream, river, valley and adjacent hillsides and woods.
- 2.4 As there will be increasing pressure for development across the District, it is important that all landscape, including the Chilterns Area of Outstanding Natural Beauty, is conserved and enhanced. The preferred policy approach ensures that the design of development proposals is sensitive enough to ensure that schemes make a positive contribution to the landscape. AONBs are designated for the purpose of conserving and enhancing the natural beauty of the area, which includes its flora, fauna, and geological and natural physical features.
- 2.5 The NPPF makes it clear that AONB designations provide a strong reason to restrict the overall scale/type/distribution of development and the Council has a duty to conserve and enhance its natural beauty<sup>6</sup>.
- 2.6 In addition, The Countryside and Rights of Way Act<sup>7</sup> states that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
- 2.7 Hertfordshire County Council's Landscape Character Assessment identifies three landscape regions in Three Rivers (shown on the proposals map)
- The Chilterns Landscape Region (including parts of the Chilterns AONB)
  - The Central River Valleys Landscape Region
  - The South Hertfordshire Plateau
- 2.8 These landscape regions contain a variety of landscape character areas for which assessments have been produced identifying key characteristics and influences. A Landscape Strategy has been produced which includes suggestions for managing future change (further details can be obtained from: <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/landscape/landscape-character-assessment.aspx>)
- 2.9 The Council should seek to ensure that development complements the surrounding local landscape of Three Rivers as identified in the current Local Character

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<sup>6</sup> NPPF Paragraph 11 d) i.

<sup>7</sup> The Countryside and Rights of Way Act

<http://www.legislation.gov.uk/ukpga/2000/37/section/85>

Assessments, through siting, layout, design, appearance and landscaping of development. The proposed draft policy asks that promoters of development give consideration to the following when preparing applications:

- The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change
- The pattern of woodlands, fields, hedgerows, trees, waterbodies, walls and other features
- The topography of the area.

2.10 The draft policy encourages applicants to refer to the Landscape Character Assessments for information in relation to these matters as well as the Three Rivers Trees and Landscape Strategy which is due to be completed by December 2020.

2.11 For developments in or near to the Chilterns AONB, regards to The Chilterns Buildings Design Guide and Supplementary Technical Notes on Chilterns building materials (flint, brick and roofing materials) available from <https://www.chilternsaonb.org/conservation-board/planning-development/buildings-design-guidance.html> should be given which provides further information on acceptable design in the Chilterns Area of Outstanding Natural Beauty and the issues facing the area and the management actions required.

### **Policy/Budget Reference and Implications**

The recommendations in this report are within the Council's agreed policy and budgets.

### **3 Financial, Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications**

3.1 None specific.

### **4 Recommendation**

4.1 That the Local Plan Sub Committee note the contents of this report and recommend to the Policy and Resources Committee the Draft Landscape Policy as set out in Appendix 1

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### **Background Papers**

National Planning Policy Framework (2019)

Chilterns Buildings Design Guide and Supplementary Technical Notes

Hertfordshire County Council's Landscape Character Assessment and Strategy

The Countryside Rights of Way Act (2000)

Draft Three Rivers Trees and Landscape Strategy (2020)

### **APPENDICES**

Appendix 1 Draft Landscape Character Policy