

Landscape Character Assessment and Landscape Sensitivity Assessment Supplementary Planning Guidance

Summary: This report considers the representations made at Regulation 12 and 13 stage of Supplementary Planning Guidance preparation and seeks agreement to adopt the final documents as updated guidance to inform the preparation of the Local Plan and for use as material considerations in the preparation and determination of planning proposals in North Norfolk.

Recommendations:

- 1. It is recommended that Members endorse the revised 2021 Landscape Character Assessment and Landscape Sensitivity Assessments as Supplementary Planning Guidance, SPD's and recommend to Cabinet for adoption and publication**
- 2. That the existing 2009 North Norfolk Landscape Character Assessment is revoked in line with the legislative requirements.**
- 3. That delegated authority is given to Head of Planning in relation to the statutory process required.**

Cabinet Member(s)	Ward(s) affected
All Members	All Wards
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1. Introduction

1.1 The Council commissioned Land Use Consultants, LUC in February 2018 to review and update the existing landscape character evidence base in line with current best practice, and to produce an updated Landscape Character Assessment and a Landscape Sensitivity Assessment for different forms of renewable energy and other large scale industrial development . They are intended to provide context for policies and proposals within the emerging Local Plan, inform the determination of planning applications, and inform the management of future change. The Landscape Character Assessment updates the District's previous Landscape Character Assessment.

- 1.2 **The purpose** of this report is to update Members on the final versions of the Landscape Character Assessment and the Landscape Sensitivity Assessment undertaken by consultants LUC and seeks authority to adopt the final documents as Supplementary Guidance Documents, SPD's to inform the Local Plan preparation, future planning proposals and aid the determination process.
- 1.3 Supplementary Planning Documents, SPD's are documents that provide more detailed guidance around how the Council will implement policies in the Local Plan. They provide more detailed information that cannot be contained in the policies themselves. They give guidance to the public, applicants and developers when making applications and can be a material consideration in planning decisions but are not part of the Development Plan.
- 1.4 The draft SPD's were reviewed by the Council's Planning Policy and Built Heritage Working Party in October 2018, where a detailed report and presentation was given to Members. Authority to consult alongside the regulation 18 stages of the Local Plan with a view to adopting both documents as formal supplementary planning document was consented. The previous report and presentation can be found in the ModGov Library [here](#) and [here](#) and or by the links referenced below¹.
- 1.5 Both the LCA and LSA, have been prepared under the terms of the Planning and Compulsory Purchase Act 2004 and regulation 11-16 of the Town and Country Planning ((Local Planning) (England) Regulations 2012.
- 1.6 The North Norfolk Landscape Character Assessment, LCA and Landscape Sensitivity Assessment, LSA, were subject to public consultation in line with regulation 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 at the same time as the emerging Local Plan underwent public consultation during May and July 2019.
- 1.7 Both the LCA and LSA, provide supplementary detail to a variety of policies within the current adopted Local Plan and the emerging Local Plan. The LCA appraises the North Norfolk landscape and evaluates the area's defining characteristics in order to manage growth sustainably and to enable the inherent qualities of the North Norfolk Landscape to be taken into consideration, so that development does not undermine the defined valued features and characteristics. It will replace the current 2009 LCA upon adoption as a SPD. The LSA assesses the sensitivity of the North Norfolk landscape to various types of renewable energy and other industrial scale developments.
- 1.8 **Landscape Character Assessment** is a tool to identify what makes a place unique, and can serve as a framework for decision making that respects local distinctiveness. Understanding the character of place and evaluating an area's defining characteristics is a key component in managing growth sustainably and ensuring that the inherent qualities of North Norfolk's landscape can continue to be celebrated, creating places that people can be

¹ The links are:

Agenda : <https://modgov.north-norfolk.gov.uk/documents/s5531/Agenda%20-%202015%20October%202018.pdf>

Presentation: <https://modgov.north-norfolk.gov.uk/documents/s5533/Landscape%20Character%20presentation%20-%202015%20October%202018.pdf>

proud of. Understanding of character can be used to ensure that any change or development does not undermine whatever is valued or characteristic in a particular landscape.

- 1.9 **Landscape Sensitivity Assessment** provides an assessment of the relative landscape sensitivities of different landscape areas to different types of renewable energy and industrial type development at a strategic scale, without knowing the exact location, layout, design or mitigation proposed. It is based on the landscape character types identified in the LCA and is an important tool in informing the appropriate management of landscape change.

2. National policy

- 2.1 The NPPF calls for valued landscapes to be protected and enhanced, stating *'Planning policies and decisions should contribute to and enhance the natural and local environment by... protecting and enhancing valued landscapes, sites of geological value and soils (in a manner commensurate with their statutory status or identified quality)'* (para 170.a). The greatest weight is given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty (AONBs) (para 172), but this does not mean that non-designated landscapes are not valued, or cannot be 'valued landscapes'

- 2.2 An up-to-date Landscape Character Assessment is recommended in the Planning Practice Guidance (PPG) to support planning decisions by local planning authorities. The evaluative section of a Landscape Character Assessment can provide useful evidence to help identify valued features and qualities.

- 2.3 Paragraph 180 of the NPPF contains reference to sensitivity as follows:

"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development..."

- 2.4 The landscape sensitivity study will not only inform existing planning applications around renewable energy but also inform the emerging Local Plan approach in this area, where along with landscape sensitivity other considerations such as other physical constraints, other environmental constraints e.g. biodiversity and heritage and policy constraints such as the Undeveloped Coast will also need to be taken into account.

3 Consultation Feedback

- 3.1 For information, the feedback on the SPD's is contained within **Appendix 1** and to this report and summarised below.
- 3.2 The production of the two related assessments were broadly welcomed with the recognition of the inherent value of the landscape of Norfolk and the duty

to protect and enhance the defined character. A number of comments were made by Individuals and statutory bodies seeking clarification and more detail. **Appendix 1** details the feedback received and how this has been incorporated into the final versions.

- 3.3 In particular various additional references and mapping details have been incorporate to reflect comments from the Broads authority to enable greater cohesion between the authorities. Natural England provided general advice and sought greater detail around the incorporation of design features that could support wildlife and biodiversity net gain. No additional comments have been added in relation to this matter as it is considered that the guidelines in the documents for each landscape type already include broad measures to enhance biodiversity of the wider landscape such as improving ecological connectivity, use of native species, planting of hedgerows. Furthermore precise requirements for individual developments in this area could form part of the emerging North Norfolk Design Guide. Policies within the emerging Local Plan already reference the requirement for biodiversity net gain.
- 3.4 The final versions of the LCA and LSA SPD for adoption are available on the following links:
[Landscape Character Assessment \(LCA\) SPD](#)
[Landscape Sensitivity Assessment \(LSA\) SPD](#)
- 3.5 Next stages: as soon as reasonably practice after the planning authority has adopted the SPD's the documents will be published and made available at the Council's offices and on the Planning web site. An adoption statement which will set out the persons consulted during preparation, a summary of the main issues and how these were addressed (eg the schedule included in **Appendix 1**) will be prepared to accompany this. Once completed the adoption statement will also be sent to all those that asked to be notified of the adoption. In relation to the revocation/ withdrawal of the existing LCA, 2009, a statement of fact will be made available advising of the documents' withdrawal, removal from the web site and notice sent to organisations statutory consultation bodies and those individuals registered on the planning policy consultation data base in order to bring the action to the attention of persons living and working in the area, in accordance with the regulations.
4. **Recommendations:**
 1. **It is recommended that Members endorse the revised 2021 Landscape Character Assessment and Landscape Sensitivity Assessments as Supplementary Planning Guidance, SPD's and recommend to Cabinet for adoption and publication**
 2. **That the existing 2009 North Norfolk Landscape Character Assessment is revoked in line with the legislative requirements.**
 3. **That delegated authority is given to Head of Planning in relation to the statutory process required.**

5. **Legal Implications and Risks**

- 5.1 The Council must produce a Planning documents which complies with various regulatory and legal requirements and in determining its policy approaches must be justified and underpinned by up to date and proportionate evidence,. This includes the application of a consistent methodology which takes account of public feedback and national policy and guidance.
- 5.2 Both the LCA and LSA, have been prepared under the terms of the Planning and Compulsory Purchase Act 2004 and regulation 11-16 of the Town and Country Planning ((Local Planning) (England) Regulations 2012. The statutory process requires records of consultation feedback and a demonstration of how this has informed plan making

6 **Financial Implications and Risks**

- 6.1 Failure to undertake plan preparation in accordance with the regulations is likely to render challenge and result in less weight been given to the evidence documents.

Appendices

Appendix 1 – Schedule of Representations with comments

Landscape Character Assessment SPD [Landscape Character Assessment \(LCA\) SPD](#)

Landscape Sensitivity Assessment SPD [Landscape Sensitivity Assessment \(LSA\) SPD](#)