

**APPENDIX 9.4
NATIONAL PLANNING POLICY**

Appendix 9.4: National Planning Policy

The National Planning Policy Framework (NPPF, February 2019) makes clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12), and effects on the natural environment (Section 15) are important components of this.

Paragraph 11 sets out that in determining applications for development this means that developments which accord with an up-to-date development plan should be approved. Where the development plan is not fit for the purpose of determining the application, paragraph 11 directs that the permission should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”* or *“the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”*. The areas or assets of particular importance in respect of landscape and visual matters referred to within the relevant footnote 6 are:

- Area of Outstanding Natural Beauty (AONB);
- National Parks including the Norfolk Broads;
- Heritage Coast.

The list also includes important and/or irreplaceable habitats, designated heritage assets, areas at risk of flooding or coastal change, and land-use designations (Green Belt, Local Green Space).

Section 11 sets out considerations in ‘Making Effective Use of Land’ and notes in paragraph 122 that in respect of development density the considerations should include whether a place is well-designed and *“the desirability of maintaining an area’s prevailing character and setting ... or of promoting regeneration and change”*.

Paragraph 127 of the NPPF indicates that decisions should ensure that developments:

“a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) 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);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) ...”

Section 15 of the NPPF covers both ecological and landscape matters. Paragraph 170 requires that decisions should contribute by:

“a) protecting and enhancing valued landscapes, ... (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; ...”

In respect of valued landscapes, paragraph 171 notes that planning policy should *“distinguish between the hierarchy of international, national and locally designated sites”*.

Paragraphs 172 and 173 require that:

“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. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. 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. Consideration of such applications should include an assessment of:

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;

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.

173. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.”

Footnote 55 notes that *“whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined”*.

Paragraph 180 requires decisions to ensure that *“new development is appropriate for its location”* including by limiting the impact of light pollution on local amenity and *“intrinsically dark landscapes”*.

Planning Practice Guidance for Natural Environment, July 2019

This document is intended to explain the key issues in implementing policy to protect biodiversity, but also contains a section on landscape. This section reiterates policy within the NPPF stating *“plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes.”* The

guidance highlights the importance of identifying the special characteristics of locally valued landscaped within policy and the option for plans to *“include policies to avoid adverse impacts on landscapes and to set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary.”* The same paragraph also states that *“cumulative impacts of development on the landscape need to be considered carefully”* (para 036).

With regards to National Parks, the Broads and Areas of Outstanding Natural Beauty the guidance states that:

“Section 11A(2) of the National Parks and Access to the Countryside Act 1949, section 17A of the Norfolk and Suffolk Broads Act 1988 and section 85 of the Countryside and Rights of Way Act 2000 require that ‘in exercising or performing any functions in relation to, or so as to affect, land’ in National Parks and Areas of Outstanding Natural Beauty, relevant authorities ‘shall have regard’ to their purposes for which these areas are designated” (para 039).

It clarifies that where development outside National Parks and Areas of Outstanding Natural Beauty *“might have an impact on their setting or protection”* it is the duty of all local planning authorities, not just National Park authorities to consider the development proposals (para 039).

“Management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty do not form part of the statutory development plan, but they help to set out the strategic context for development. They provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.” (para 040)

“Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.” (para 042)

Natural England has published advice on Heritage Coasts. This guidance indicates that heritage coasts are *“managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors”* (para 043).

This document also provides guidance on green infrastructure, highlighting types of green infrastructure (para 004) and the benefits which they provide (005), including achieving well-designed places as *“green infrastructure exists within a wider landscape context and can reinforce and enhance local landscape character, contributing to a sense of place and natural beauty”* (para 006).

Planning Practice Guidance for Design, March 2014

The guidance sets out principles in respect of the design of a development, noting that:

“Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.

Good design responds in a practical and creative way to both the function and identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use – over the long as well as the short term.”

In respect of the determining applications and the relationship between a proposal and the surrounding townscape, the guidance notes that:

“Local planning authorities are required to take design into consideration and should refuse permission for development of poor design. Local planning authorities should give great weight to outstanding or innovative designs which help to raise the standard of design more generally in the area. This could include the use of innovative construction materials and techniques. Planning permission should not be refused for buildings and infrastructure that promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design...”

In respect of local character, the guidance further notes that:

“Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation.

The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre.

When thinking about new development the site’s land form should be taken into account. Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place. Views into and out of larger sites should also be carefully considered from the start of the design process.

Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions rarely create a distinctive identity or make best use of a particular site. The use of local materials, building methods and details can be an important factor in enhancing local distinctiveness when used in evolutionary local design, and can also be used in more contemporary design. However, innovative design should not be discouraged.

The opportunity for high quality hard and soft landscape design that helps to successfully integrate development into the wider environment should be carefully considered from the outset, to ensure it complements the architecture of the proposals and improves the overall quality of townscape or landscape. Good landscape design can help the natural surveillance of an area, creatively help differentiate public and private space and, where appropriate, enhance security.”