

## **Appendix 12.5: Planning policies and guidance relating to landscape character and visual amenity**

### **Planning Policy Wales (2002), Technical Advice Note 12: Design**

The document sets principles and objectives for designing in context and achieving good design solutions, to achieve sustainability, quality of life and a positive image for Wales. Advice is given to both planning authorities as well as designers with a comprehensive 'Design Issues' section dealing with all aspects of design of developments and associated elements such as relationships to other buildings, movement and public spaces, signage, landscape and biodiversity. While these elements are to be considered early in the design process, the process itself may be evolutionary, and future implications of design decisions are to be considered.

The 'Objectives of Good Design' are listed as:

- Achieving sustainable design solutions
- Sustaining or enhancing character
- Promoting innovative design
- Promoting a successful relationship between public and private space
- Promoting high quality in the public realm
- Ensuring ease of access for all
- Promoting legible development
- Designing for change
- Promoting quality, choice and variety

#### *Designing in Context*

Understand the site and its immediate and wider context to create meaningful and sustainable design. Context means the locally distinctive characteristics and setting of an area. These include human history, forms of settlements, buildings and spaces, topography, water features, field patterns and boundary treatments, ecology and archaeology, as well as legibility, distinctive views, skylines and vistas. Opportunities for innovative design depend on the extent to which contextual factors inhibit a design solution.

#### *Achieving Design Solutions*

A 'route to successful design solutions' is given in which designers should consider:

- Landscape setting
- Layout of development
- Density and mix
- Scale of development

- Appearance of materials

#### *Biodiversity*

Possible approaches include:

- Conservation or enhancement of an existing feature, or creation of a new feature
- Measures to protect species and habitats, and measures to encourage species and habitats

#### *Employment and Commercial Areas*

High quality of design can add value to property and support the image of modern business. Large new buildings can make a bold statement of their purpose. Robust design, high quality materials and appropriate landscape treatment such as earth form or planting can help integrate new business into its surroundings by absorbing the bulk of the buildings and ancillary parking and circulation areas. Create a positive outward looking image where possible by ensuring key buildings within the development front onto the roads.

#### *Rural Areas*

The special qualities and character of the rural landscape should be recognised, conserved and enhanced through quality in new development. Avoid impacts on distinctive rural landscapes and conserve and enhance diversity of species and habitats. Maintain local identity and local distinctiveness.

#### **Guidance for Sustainable Design in the National Parks of Wales (October 2008)**

The guidance is due to be adopted in October 2008. The guidance is framed within National Design Policy in particular TAN12, and the aims and objectives of the guidance are similar, but with a specific emphasis on the “*design and development of sustainable, high-quality buildings that enhance the natural beauty, wildlife and cultural heritage of the three Welsh National Parks*”. The document also gives more specific details regarding the integration of sustainable design features, relating for example to energy, materials and resources, water conservation and management, siting and orientation, landscape and local character. The requirements for detailed planning applications including design statements are also indicated.

The key principles of sustainable design include landscape and biodiversity as well as place and local distinctiveness. The aims of these are that new development should enhance the quality of landscape, ecology, bio-diversity and cultural heritage, and buildings should respond to context and local distinctiveness. Good building design must seek to enhance rather than detract from the character of its landscape setting and its special qualities. At the same time, the creation of “*new, modern contexts can also be encouraged, which although it differs from the historical aesthetic of an area, contributes to the landscape, ecological and climatic context.*”

## **Town and Country Planning Association - Biodiversity by Design. A Guide for Sustainable Communities (2004)**

While the guide has a specific emphasis on whole communities, including the delivery of homes, the principles set out reinforce those in the Welsh design guidance. To achieve biodiversity by design, the guidance places importance in understanding the local context and distinctiveness, as well as the existing protected habitats and species, and provides guidance on integrating new 'green infrastructure' through the creation of landscape and green areas, as well as 'green buildings'. The management and stewardship of these areas is also an important factor.

## **Brecon Beacons National Park Authority Local Plan (Adopted May 1999)**

The aims of the Local Plan are stated as:

- i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park;
- ii) to promote the understanding and enjoyment by the public of the special qualities of the Park;
- iii) to foster the social and economic well-being of the communities within the Park;
- iv) to ensure that all development is sustainable.

The strategy of the Local Plan is *"to direct future development in ways which harmonise these four interdependent aims"*.

### *Chapter 2 General planning policies*

#### *Sustainable Development*

It is noted that *"...the Authority will welcome development ..... provided it does not have an unacceptably detrimental effect on the special qualities of the National Park"*.

#### *Development in the National Park*

**Policy G3** – aims to *"protect the natural beauty and resources of the Park and the amenity of its residents, while ensuring that development is sustainable"*, and *"new development should be well related in scale and location to existing development and to the landscape"*. The policy states:

*"Development will only be approved when the following relevant criteria are satisfied:*

- i) its use, scale, siting and appearance will be appropriate to its surroundings and will respect the quality and character of the Park's landscape and built environment;*
- ii) it will be compatible with the need to conserve and enhance the Park's wildlife, natural habitats, landforms and archaeological and cultural features;*
- iii) it will not prevent the enjoyment of the National Park's special qualities;*
- ix) landscaping schemes, where required, involve a design in keeping with the setting of the site, using native plant species of British stock suitable for the National Park ...;"*

**Policy G6** – aims to protect trees subject to tree preservation orders, or provide agreed replacements.

### *Design and Energy Conservation*

**Policy G7** – requires high standards of building design for development including appropriateness to setting. Also requires attention to details of open spaces around buildings including access, planting and boundary/ enclosure treatments.

### *Straddling and fringe applications*

This relates to the protection of the special qualities of the National Park where development “*straddles the Park boundary or is conspicuous from within the Park... to ensure that the integrity of the Park is not compromised*”, and “*the visual amenity of residents and visitors within it are not spoilt.*”

### *Chapter 3 Conservation of the landscape, wildlife and archaeology*

#### *The landscape*

The Plan states that a ‘Section 3 Conservation Map’, prepared by the Authority under the Wildlife and Countryside (Amendment) Act 1985) is shown on the proposals map. The Conservation Map comprises most of the areas of areas of mountain, open moor, heathland, broad-leaved woodland and hillside scrub, together with some areas of mixed woodland. The NPA considers it important to conserve these for their visual and nature conservation qualities. All areas located to the north, west and northeast of the site within the study area would be included.

The Section 3 Conservation Map was not available at the time of writing on request from Brecon Beacons National Park.

**Policy CL1** – seeks to protect the character and integrity of the Section 3 Conservation Map areas important to conserve.

**Policy CL2** – seeks to enhance the landscape of and prevent damage to important archaeological or cultural features, wildlife or landforms in areas of derelict land, such as former industrial and mining sites.

**Policies CL3, CL4, CL5 & CL6** – protect species and sites of international, national and local nature conservation and geological importance.

**Policies CL8 & CL9** – protect archaeology and cultural features.

### **Brecon Beacons National Park Authority Unitary Development Plan (Approved April 2007)**

The Foreword to the Plan states:

*“The Brecon Beacons National Park is designated for its landscape quality. Defined by the IUCN as a category V Protected Landscape it is an area where the interaction of people and nature over time has*

*produced a distinctive character with significant aesthetic, ecological and cultural value, and high biological diversity.” (IUCN = International Union for Conservation of Nature and Natural Resources’)*

The first three aims of the National Park Authority (NPA) are as stated under the Local Plan. The fourth is amended to read:

*iv) to ensure that all development within the Park has regard to the concepts of sustainability.”*

*Chapter 2 Ensuring Appropriate Development in the National Park  
Landscape and Special Qualities*

**Policy G1: Section 3 Conservation Map** – seeks to prevent adverse effects to those areas identified on the map as being important to conserve.

*Developments of National Significance in the National Park*

**Policy G2: Developments of National Significance in the National Park**

*“... Applications will be subjected to the most rigorous examination including an assessment of:*

*iii) any adverse impact on the environment and the landscape, and the extent to which that could be moderated.*

*In the event of applications being granted, any construction and restoration will be conditioned to be carried out to high environmental standards.”*

**Policy G3: Development in the National Park** - to protect the natural beauty and resources of the Park and the amenity of its residents, while ensuring development is sustainable.

*“All proposals for development or change of use of land or buildings in the National Park must comply with the following criteria, where they are relevant to the proposal:*

- i) the proposed development does not have an unacceptable impact on, nor detract from or prevent the enjoyment of, the special qualities, natural beauty, wildlife and cultural heritage of the National Park;*
- iii) the scale, form, design, layout, density, intensity of use and use of materials will be appropriate to the surroundings and will maintain or enhance the quality and character of the Park’s landscape and built environment;*
- iv) the proposed development is integrated into the landscape to the satisfaction of the NPA through planting and appropriate management of native species or through the construction of appropriate boundary features. Where landscaping schemes are required, they must involve a design in keeping with the site, using native plant species of local provenance suitable for the National Park as listed in Appendix 3;*
- v) the proposed development does not have an unacceptable impact on the amenity of the area, adjacent properties or the general public;*
- x) where lighting is proposed as part of the development, the proposal must ensure that the design and operation of lighting systems has minimal impact in terms of light pollution;*

- x) *adequate consideration is given to the needs of those with limited mobility such as wheelchair users, elderly people, and people with young children in the design and layout of the development;*

**Policy G4: Development Affecting Trees**

*“Where planning applications are submitted on sites containing trees which are considered valuable to the amenity of the area the NPA will seek to ensure that:*

- i) *the trees and their root systems will be retained and adequately protected prior to, during and after, development takes place; and*
- ii) *where it is agreed that trees are to be removed, replacements will be required, where appropriate. A scheme for replacement shall be agreed with the NPA prior to the commencement of development.”*

**Policy G6: Design** – developments should respond to the local context and meet the Welsh Assembly Government’s key design objectives.

Proposals will be required to demonstrate where appropriate how they:

- i) *“achieve sustainable design solutions...;*
- ii) *sustain or enhance character in townscape and landscape by responding to and reinforcing, where appropriate, locally distinctive patterns and form of development, landscape, culture and biodiversity;*
- iii) *promote innovative design in buildings, infrastructure, urban and rural landscape and public art;*
- iv) *promote a successful relationship between public and private space by delineating clear boundaries, acknowledging established building lines in new development and enclosing space;*
- vi) *ensure ease of access for all by adopting inclusive design principles including safe and clear connections, integrating development with existing footpaths, cycle ways and public and private transport infrastructure and by ensuring adequate provision for people with disabilities and others;*
- vii) *promote “legible” development that includes easily recognisable and understood features and landmarks;*
- viii) *design for change by promoting adaptable development that can respond to social, technological, economic and environmental conditions over time;”*

*Chapter 3 Ensuring Quality of Life*

The quality environment opportunities for enjoying it are considered important factors contributing to the Park’s high quality of life.

There is a duty to consider the national importance of the environment and to protect the most important and irreplaceable natural and cultural assets, whilst adapting to change, to secure a sustainable development strategy and future quality of life.

*Conserving and Enhancing our Biodiversity and Heritage*

A series of policies dealing with the protection of international, national and locally important sites and species.

*Conserving and Enhancing Our Cultural Heritage*

Policies relating to the protection of archaeological features, listed buildings, conservation areas and historic landscapes.

#### *Enabling Access to Opportunities for Enjoyment of the National Park*

The statutory purpose of National Park designation of “*promoting opportunities for the understanding and enjoyment of the special qualities of the Park*” is reiterated. While the policies deal principally with provision of facilities, there are also references to potential effects from development.

**Policy Q21: Rights of Way and Long Distance Routes** – protect these routes from adverse effects arising from development, and may require an equivalent alternative route.

#### *Chapter 4 Ensuring Sustainable Use of Resources*

##### *Avoiding Wastage*

#### **Policy S13: Waste Development Serving the Region**

*The criteria to be met in permitting the use of land for waste related development to cater mainly for wastes from outside the Park includes:*

- iv) there are no significant detrimental effects on the Park’s special qualities, its natural beauty, wildlife and cultural heritage or communities.*

#### *Chapter 7 Site Specific Allocations*

##### *Allocation of Land for Employment Uses*

*“On land identified for industrial and business purposes, the NPA will expect any new or refurbished buildings to be designed to the highest standards. Because of their size, bulk and service requirements, such buildings can have a dramatic impact on their surroundings. Particular attention should be given to design criteria as specified in Chapter 2. The integration of such developments into the landscape is also of prime importance in a National Park setting. Existing trees and other features should therefore be retained wherever possible and sensitive planting and screening near buildings will be required. Landscaping including planting will generally be conditioned to occur within 12 months of receiving permission, or at the next planting season, whichever is the sooner. Details of landscaping proposals must be agreed by the NPA. All development on these allocated sites will be required to comply with Policy G3 Development in the National Park.”*

#### **Policy SS4: Allocation of Land for Employment Uses**

Hirwaun (Site Code HW1), Hirwaun Industrial Estate

General Industrial (B2)

Part of the Hirwaun Industrial Estate falls within the National Park. Land is available for industrial use.

#### *Appendix 3: Tree Species Native to the Brecon Beacons National Park*

A copy of this list is included in Appendix 12.5, and includes species that are found throughout the Park and those with a restricted range.

#### **Brecon Beacons National Park Authority Draft Management Plan 2009-2014 (2008)**

The National Park Management Plan is stated as being *“the single most important document for the National Park. The Plan coordinates and integrates other plans, strategies, and actions in the National Park that affect the two Park purposes and its duty. No major decisions should be taken affecting the future of the Park without reference to the Management Plan. The Plan sets a vision for the future of the Park (20 years hence) and specifies actions and outcomes to pursue in the next five years to bring the Park closer to this shared vision. The Plan promotes coordinated implementation, monitoring, and evaluation of these activities collectively across a wide range of partners and stakeholders. In essence, it creates a framework for Park management, guiding decision-making and developing priorities.”*

#### *Chapter 7.1. Conserving and Enhancing the National Park*

##### 7.1.1. Landscape

The plan states that *“It is the tranquility and natural beauty imparted by the Park’s diverse landscape features that people most often come to experience. In fact, the quality of the Park’s landscape contributes to the quality of life of both residents and visitors”,* and *“Whilst change is inevitable, the government regards National Park designation as conferring the highest status of protection as far as landscape and scenic beauty are concerned.”* The NPA, under the Wildlife and Countryside Acts, has prepared a Section 3 Conservation Map of mountain, moor, heath, and woodland that it considered particularly important to conserve.

The Twenty-year Aims for Landscape are:

1. *“Conserve and enhance the sense of tranquility, peace, and remoteness experienced throughout the National Park.*

2. *Conserve and enhance the beautiful and varied character of the landscape via sustainable, integrated management. ...Change should be managed to conserve the landscape and special qualities of the Park without managing the Park as if it were a snapshot in time and space. It should be managed to the benefit of the processes which conserve and enhance its diversity of special qualities.*



3. Prevent degradation of the Park's landscape and enhance derelict land. ...However, enhancement work should not be at the expense of wildlife or industrial archaeological interests.

4. Develop understanding and awareness of landscape's varied character and the processes that influence it. The Park's beautiful and diverse landscape is dependent upon the continued interaction of natural processes and human influences.

5. Assess and monitor landscape change across the National Park. CCW has developed a landscape assessment and decision making methodology called LANDMAP, for use as a management tool and in preparing development plans. ...Together with modern GIS tools and aerial photography, LANDMAP could prove useful to assessing and monitoring landscape change across the Park, which, in turn, will inform management activities."

Other related sections of the plan, that also set out relevant aims include: 7.1.2 Biodiversity, 7.1.3 Geodiversity, 7.1.4 Archaeology and Historic Landscapes, 7.1.5 Built Environment, 7.1.6 Cultural Traditions, 7.1.8 Water Resources, 7.1.9 Soil Resources, 7.1.12 Agriculture, 7.1.13 Woodland Management, 7.1.14 Uplands Management, 7.1.15 Rivers and Wetlands, and 7.2.1 Outdoor Access and Recreation.

### **Brecon Beacons National Park Authority Walking Tourism Strategy**

Whilst the strategy relates in principal to the encouragement of opportunities for walking tourism and "quiet public enjoyment" of the Park, the document comments on the special qualities of the National Park, which are of relevance in the context of planning policy for this area. The special qualities include:

- "Landscape and natural beauty
- Peace and tranquillity
- Opportunities for walking and access to open country
- Open spaces and qualities of remoteness
- Wildlife"

### **Rhondda Cynon Taf County Borough Council Mid Glamorgan (Rhondda RCTCB) Replacement Structure Plan 1991-2006 (Adopted January 1999) Environment (Chapter 6)**

The chapter contains policies that aim to protect and conserve countryside/ rural landscape, such as the coalfield plateau and sides of the main valley, that are important to the regional and local character of South Wales. Where development is permitted, adequate measures are required to minimise any likely adverse visual effects. This section also seeks the conservation of the natural environment, including geology and geomorphology, by protecting sites from adverse effects from development. Trees and

woodlands, including ancient semi-natural woodlands as well as hedgerows are also protected. Their benefits as natural habitats or corridors, and features that that make an important contribution to the landscape are recognised, and should be preserved and maintained, or new areas planted.

**Policy EV1** – Seeks to prevent development in the countryside except in the interest of stated uses including among others, agriculture and forestry, countryside leisure, conversion of rural buildings, minerals and utility services.

**Policy EV4** – *“Development which would lead to visual intrusion on the landscape of special landscape areas will only be permitted where suitable measures can be taken to reduce such effects to acceptable levels. Special landscape areas will include areas of strategic importance (namely the Coalfield Plateau and Valley Sides and the Caerphilly Mountain Area), and other areas of Local Landscape Importance and will be defined in Local Plans”.*

**Policy EV5** – Seeks to protect sites recognised at an international, national or local level for their nature conservation value from destruction, damage or disturbance.

**Policy EV13** – *“Proposals for the protection and maintenance of native broadleaved trees, woodlands (including ancient woodlands and ancient semi-natural woodlands) and hedgerows, and proposals for the planting of native species will be favoured, except where these would result in unacceptable conflict with nature conservation interests.”*

#### **Rhondda Cynon Taf (Cynon Valley) Local Plan (Including Waste Policies) 1991-2006 (Adopted January 2004)**

The Strategy of the Cynon Valley Local Plan is:

*“To secure the economic regeneration of the Cynon Valley by providing opportunities for new investment through the allocation of land and the control of new development, without prejudice to the conservation and enhancement of the built and natural environment.”*

Improvements to quality of the built environment and countryside should be balanced against needs for urban regeneration, through sustainable development.

#### *Chapter 3.0 Environment*

Reference is made to Technical Advice Note (TAN) 12 ‘Design’, which supplements national policy guidance in Planning Policy Wales. TAN12 seeks to encourage high quality design and landscaping in new development, particularly through the use of development briefs.

The Cynon Valley Local Plan sets out a series of objectives for the environment including:

- a. *“to protect and enhance the natural and built environment within the Plan Area;*
- b. *to maintain an adequate balance between the needs of development and the need to ensure the future protection of the environment and the conservation of the abundance and diversity of wildlife throughout the area;*
- d. *to protect, maintain and improve the amenity, biodiversity and ecological value of land throughout the Plan Area;*
- f. *to encourage good design in new development proposals.”*

#### *Development Control Criteria*

**Policy ENV1** – *“Applications for planning permission will be considered against the following development criteria:*

- (i) *“the proposed development is compatible with surrounding land uses....*
- (iv) *that the siting, scale, layout, design, landscaping and use of materials of all elements of the proposal, including any internal road, car parking, footpaths and open spaces, are of a high quality and will provide an interesting environment that is appropriate to its setting.*
- (v) *the proposal would not harm the character or appearance of the area.”*

The following local plan policies seek to protect the countryside from inappropriate development:

#### *Protection of the Countryside*

**Policy ENV2** – similar to structure plan policy EV1, indicated above. The prevention of coalescence of urban areas is an aspect of this policy.

#### *Development Affecting the Brecon Beacons National Park*

**Policy ENV3** – in relation to the Brecon Beacons National Park, seeks to place particular emphasis on siting, design, use of materials and landscaping of proposals that are visually prominent in relation to the Park boundary and other areas within it.

Where development is proposed in the Park, *“particular weight is given to the impact of development on existing buildings and the landscape”, and “views from the National Park are a material consideration in assessing development proposals, which by virtue of their proximity of the Park boundary are likely to have a significant impact on the character and appearance of the area.”*

#### *Landscape Features*

**Policy ENV6** – aims to protect existing trees, hedgerows, woodland and other natural features *“worthy of retention for their amenity and nature conservation value”*. Requires landscape proposals to integrate new

development with its surroundings, and seeks replacement planting where “*considered necessary in the interests of amenity*”.

Appropriate management of landscape features will also be required. Reference should be made to the Authority’s Landscape Strategy Design Guidelines in the detailed design, implementation and management of landscape schemes. These Guidelines were requested from RCT Borough Council, but had not been received at the time of writing. It is understood from telephone conversations with the Council that the document was produced in the mid-1990s and to some extent has been superseded by work on the CCW Landmap database.

With reference to these policies, it is noted that the whole site, including the area within the National Park is allocated for large-scale industrial and business users, as set out in Chapter 4.0, Industrial and Business Development.

#### *Special Landscape Areas*

The local landscape area designated to the south of the site and includes the slopes of Hirwaun Common as well as a large area of land to the south of this.

Proposal ENVP1 - “*No activity or development that would harm the landscape quality of areas defined on the proposals map as special landscape areas will be allowed.*”

#### *Chapter 4.0 Industry and Business Development*

##### *Sites for Large-Scale Industrial and Business Developments*

#### **Proposal BP3**

“*A: Land north of Fifth Avenue, Hirwaun Industrial Estate*”

“*...Due to the proximity of the National Park, careful consideration will need to be given to the design, siting and landscaping of any development proposals in accordance with policy ENV3. The site supports some habitats and species of local nature conservation value and development proposals will be required to include appropriate habitat protection and mitigation measures in order to preserve the area of existing nature conservation value.*”

#### **Rhondda Cynon Taf Community Plan 2004-2014**

The document is sub-titled ‘A better life; A programme of change to create a new future’ and sets out a framework to create this “*brighter future for everyone who lives and works here*”. It has been developed through consultation, and will be reviewed over time. There are five key elements to the shared vision for the future of the Borough including “A better life in our living space” for which the stated goals are:

*“To protect and improve our local environment, which we value because of the growing quality of its biodiversity, natural beauty, heritage, parks and open spaces, streetscape and architecture. ...To make Rhondda Cynon Taf a place where people want to live in the 21<sup>st</sup> Century, because of the high quality of life it offers”.*