

Appendix 8.3 Planning Policy and Guidance



APPENDIX 8.3: LVIA PLANNING POLICY & GUIDANCE

8.1 National Planning Policy Framework (NPPF)

- 8.1.1 The National Planning Policy Framework (NPPF)¹ sets out the Government's planning policies for England and provides a framework within which the appropriate local council can produce local and neighbourhood plans; the NPPF is material consideration in making planning decisions. Those paragraphs of the NPPF of relevant to this LVIA are listed below:

Chapter 2 Achieving sustainable development

- 8.1.2 In paragraph 7, the objective of sustainable development is summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 8.1.3 Achieving sustainable development is provided through the following three overarching objectives: economic; social; and, environmental. Of relevance to landscape and visual effects are (amongst others):
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Chapter 3 Plan-making Strategic policies

- 8.1.4 In paragraph 20, the NPPF requires local planning policies to set out an overall strategy for the pattern, scale and quality of the development, and make sufficient provision for (amongst others):
- d) "conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation".

Chapter 8 Promoting healthy and safe communities

- 8.1.5 In paragraph 96, the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:
- a) "promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
 - b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed,

¹ Ministry of Housing, Communities & Local Government (February 2025). *National Planning Policy Framework*

clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

- c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling”.*

Chapter 11 Making Effective Use of Land

- 8.1.6 In paragraph 124, it states that *“planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”.*

Chapter 12 Achieving well-designed and beautiful places

- 8.1.7 In paragraph 131, it states that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process”.*
- 8.1.8 In paragraph 135, it states that the *“planning policies and decisions should ensure that development:*
 - 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) and support local facilities and transport networks; and*
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.*

- 8.1.9 In paragraph 137, the NPPF states that *“design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should, where applicable, provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy, and should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”*.

Chapter 14 Meeting the challenge of climate change, flooding and coastal change

- 8.1.10 Paragraph 164 of the NPPF states that *“new development should be planned for in ways that:*
- a) *avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems”*.

Chapter 15 Conserving and enhancing the natural environment

- 8.1.11 In paragraph 187, it states that *“planning policies and decisions should contribute to and enhance the natural and local environment by:*
- a) *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);*
 - 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;*
 - d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
 - e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
 - f) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”*.

- 8.1.12 Paragraph 188, states that *“plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework⁶⁵; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries”*.
- 8.1.13 Paragraph 198, states that *“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”*.

Chapter 16 Conserving and enhancing the historic environment

- 8.1.14 Paragraph 203, states that *“plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:*
- d) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
 - e) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
 - f) the desirability of new development making a positive contribution to local character and distinctiveness; and*
 - g) opportunities to draw on the contribution made by the historic environment to the character of a place”*.
- 8.1.15 Paragraph 210, states that in *“determining applications, local planning authorities should take account of:*
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) the desirability of new development making a positive contribution to local character and distinctiveness”*.

8.2 Current Local Planning Policies

The District Local Plan Review 1994 Saved and Deleted Policies Version (SACDC, 2020)

- 8.2.1 The Site is located within St Albans City and District Council (SACDC). The current Local Plan for the area is The District Local Plan Review 1994 Saved and Deleted Policies Version (SACDC, 2020). The Local Plan policies of relevance are as follows.

Policy 1 – Metropolitan Green Belt

- 8.2.2 The Site is located within the Green Belt - however, Green Belt is a restrictive policy, not a designation for landscape value or quality. BMD have undertaken a high-level Green Belt Review which informs the Outline Planning Application.

Policy 69 – General Design and Layout

- 8.2.3 All development shall have an adequately high standard of design taking into account the context, materials and other relevant policy requirements such as parking, environment and conservation.

Policy 70 Design and Layout of New Housing

- 8.2.4 All Proposed Development should have regard to its setting and the character of its surroundings with landscape proposals compliance with Policy 74.

Policy 74 Landscaping and Tree Preservation

- 8.2.5 Existing landscape features or assets are to be retained, and provisions are made for new landscape proposals.
- *“Significant healthy trees and other important landscape features such as hedgerows, ponds and watercourses shall normally be retained unless it can be shown that retention is incompatible with overall design quality and/or economic use of the site...where appropriate, adequate space and depth of soil for planting must be allowed within developments. In particular, screen planting including large trees will normally be required at the edge of settlement.”*

Policy 75 Green Space within Settlement

- 8.2.6 The policy states that in determining the planning applications, the Council will consider whether *“the proposed development would destroy the character of any remaining urban green space, or the environment of the surrounding area, or the strategic function of any open land with which the site is associated.”*

Policy 85 Development in Conservation Areas

- 8.2.7 The Council *“will pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when exercising any of its planning functions.”* The Site is not located within or in the close proximity of any Conservation Area. Therefore, Policy 85 is not considered further in the LVIA.

Policy 86 (i) Building of Special Architectural or Historic Interest

- 8.2.8 This policy states that, in consideration any application that affects the setting of a listed building, the Council will have special regard to the desirability of preserving its setting. Grade II the Red Cow Public House' (ref 1102963) is located c. 100m to the west of the Site. This LVIA considers the potential for views of the Proposed Development, in the proximity of this listed building.

Policy 104 Landscape Conservation

- 8.2.9 The policy relates to the preservation and enhancement of the quality of this landscape area. It requires the Proposed Development to pay regard to its setting, regarding its siting, design and external appearance. *“Landscape improvements will normally be required when development is permitted.”* The Landscape Conservation Area covers the Site as well as the surrounding context along the settlement edge of Harpenden.

Harpenden Neighbourhood Plan 2018-2033 (2019)

- 8.2.10 Harpenden Neighbourhood Plan forms part of the Development Plan for SACDC. The following policies are of relevance to the Site and Proposed Development:

Policy ESD1 Design Strategy

- 8.2.11 The policy states that all developments *“must be visually attractive, designed to a high quality; maintain or enhance the character of the area...”* points iv, v, vi and viii are of relevance to landscape and visual matters.

- iv) *Location, type and management of open space, leisure and recreation facilities*
- v) *Protection against the loss of or significant harm to ecological or landscape value or, in the event of loss or significant harm, the provision of appropriate mitigation to address the loss or harm. If the Local Planning Authority deems that appropriate mitigation cannot be achieved, compensatory measures may be acceptable in addition to (not instead of) the maximum achievable mitigation*
- vi) *A proportionate assessment of views to and from the proposed development and key views of townscape, including how views of landmark and gateway buildings, and important landscape features will be retained or enhanced. Visual impact should be minimised through the design of the site layout, buildings and landscape.*
- vii) *How the development is sensitive to and makes a positive contribution to the local character of the area.*

Policy ESD2 Local Character and Heritage

- 8.2.12 The policy states that *“the height, scale and design of all developments must be considerate of and make a positive contribution to local character and heritage, maintaining or enhancing positive elements and seeking to address negative elements.”*

Policy ESD8 Green and Open Space and Areas of Ecological and Landscape Value

- 8.2.13 The policy states that *“developments must seek to maintain and enhance the quality and character of the varied open and green spaces, river corridors and the natural environment within the Neighbourhood Plan area. Significant developments must include proportionate new public open spaces, including green spaces, which should be linked where possible to create green corridors.”*

Policy ESD9 Key Views

- 8.2.14 The policy identifies 4 key views however, the Site is not visible from any of these views, therefore, Policy ESD9 is not considered further in the LVIA.

Policy ESD10 Views in New Developments

- 8.2.15 The policy states that *“views along streets and/or open spaces to the surrounding countryside must be created within new developments where there are opportunities to do so. Development should not have a harmful visual impact on the townscape or landscape.”*

Policy ESD11 Access to the Natural Environment

- 8.2.16 The policy states that *“proposals should retain and enhance public rights of way. Major development proposals on sites currently outside of the Built up Area Boundary of Harpenden (including Green Belt land released in a future St Albans Local Plan) should create new public rights of way and cycle paths. These should act as green links, improving accessibility and connectivity between the town and green spaces including open countryside and should connect to the existing network of public rights of way, including footpaths, cycle lanes and bridleways.”*

Policy ESD 13 Biodiversity

- 8.2.17 The policy states that the protection and enhancement of urban rural biodiversity will be supported. Design and landscaping of proposed development should be formed in the context of biodiversity conservation.

Policy ESD14 Trees and Hedges

- 8.2.18 The policy states that *“development proposals must not result in unacceptable loss of – or damage to – existing trees or woodlands or hedges or significant landscaping during or because of development.”*

Wheathampstead Neighbourhood Plan 2020-2025 (2023)

- 8.2.19 Wheathampstead Neighbourhood Plan forms part of the Development Plan for SACDC. The northeastern part of the Site is located with the Wheathampstead plan boundary. The following policies are of relevance to the Site and Proposed Development.

Policy W3: Minimising the Environmental Impact of Development

- 8.2.20 The policy states that *“development proposals should respect, maintain and, where practicable, enhance, restore or contribute to the landscape character of Wheathampstead Parish and its natural and manmade features, as described in the South Hertfordshire Landscape Character Assessment”.*

Policy W7: Locally Significant Views

- 8.2.21 The policy highlights locally significant view locations in relation to Wheathampstead. The Site is not visible from the identified 10 key views, therefore, Policy W7 is not considered further in the LVIA.

8.3 Emerging Local Planning Policies

Draft Local Plan 2041 Regulation 19 Publication (SADC September 2024)

- 8.3.1 St Albans City & District Council is currently in the process of producing the new Local Plan. The latest version is the Draft Local Plan Regulation 19 Publication, published in September 2024. The following emerging policies are relevant to landscape and visual matters in relation to the Site and its surrounding context.

Policy LG1 – Broad Locations

- 8.3.2 The Site is located within the allocated site B2 – North East Harpenden, proposed for primarily residential development. The policy states that development proposals must *“normally retain significant healthy trees and other important landscape features... positively relate and integrate the development to the surrounding buildings and landscapes, and be informed by a comprehensive Landscape and Visual Impact Assessment...[to] ensure that land use, landscaping and form have regard to the topography of the site and identified landscape impacts.”*

Policy LG5 – Green Belt

- 8.3.3 The area to the north of the track on site remains designated as Green Belt, within the emerging Local Plan, with the rest of the Site removed from the Green Belt.

Strategic Policy SP10 Natural Environment, Biodiversity and Green and Blue Infrastructure

- 8.3.4 The policy states that the Council will support proposals that ensure the protection and improvement of the green infrastructure, including proposals which will *“connect to existing green infrastructure assets including opportunities to enhance connections and extensions to Public Rights of Way”*.

NEB1 Woodland, Trees and Landscape Features

- 8.3.5 The policy states that *“the development proposals for the Broad Locations must demonstrate the delivery of a minimum of at least 1 semi-mature tree for each dwelling, predominantly of native local species... Significant healthy trees and other important landscape features shall normally be retained... there will be a presumption against the removal or destruction of any hedgerow that is considered important.”*

NEB 10 Landscape and Design

- 8.3.6 The policy states that *proposals “must demonstrate how the existing landscape will be protected, enhanced and integrated into the development, detailed in a Landscape Strategy, along with new tree planting as part of any new green space provision... Any development proposal in a Landscape Character Area must conserve, restore or enhance the prevailing quality, character and condition of the natural and historic landscape.”* The Proposed Development's landscape proposal should reference the surrounding landscape character, to include key characteristics features within the green infrastructure framework.

8.4 Supplementary Planning Documents (SPD) and Guidance

Design and Layout of New Housing: Design Leaflet No.1 (SADC, 1999)

8.4.1 This Supplementary Planning Guidance set outs additional information to support Saved Policy 70 within the adopted SACDC Local Plan 1994. It provides guidance regarding the design and layout of residential areas to promote the high design standards that respect the setting and character of its surroundings. Section (v) covers the advice on landscape:

- *Allow for screening planting, to include large trees, where new development borders the edge of the settlements using native species where appropriate.*
- *Retain healthy existing trees, woodlands, hedgerows and other features that contribute to amenity; and*
- *Wildlife corridors/areas of wildlife interest should be retained and created where possible.*

Natural England's Green Infrastructure Framework (2023)

8.4.2 Natural England, the Government's adviser for the natural environment, released in January 2023 the final version of its Green Infrastructure Framework, which serves to support the Government's 25 Year Environment Plan.

8.4.3 The Framework is underpinned by 15 principles, which have been used as a basis for planning and designing green and blue infrastructure at the Site. The Green Infrastructure Principles (Natural England, 2023) identify five key principles for what good quality GI should be, these are:

- **Multifunctional;** *GI should deliver a range of benefits for people, nature and places and address specific issues to meet the needs in the local area and sub-region as a whole.*
- **Varied;** *GI should feature a wide range of diverse types of green and blue spaces and environmental features.*
- **Connected;** *GI should operate and link as a living network for people and wildlife and nature as well as strengthening ecological networks and improving ecosystem services.*
- **Accessible;** *GI should allow people to experience and connect with nature. It should provide everyone, with access to high-quality green spaces that are inclusive, safe, well-managed, and accessible.*
- **Character;** *GI should be designed and managed to reflect the area's character in such a way that it helps landscape conservation, enhancement, and/or restoration.*

8.4.4 The Green infrastructure Framework is a voluntary framework that supports the National Planning Policy Framework (NPPF), which stipulates that the planning system should contribute to and enhance the natural and local environment by minimising the impact on biodiversity and providing net gains in biodiversity where possible.

8.4.5 The Green infrastructure Framework will complement mandatory mechanisms such as Biodiversity Net Gain (BNG) and Local Nature Recovery Strategies (LNRS), which form part of the requirements of the Environment Act.

St Albans District Green Infrastructure Plan (2011)

- 8.4.6 The Site straddles a Woodland Enhancement Zone and Chalk Valleys Conservation Zone, along with the south west boundary adjoining the River Valleys Project. The Woodland Enhancement Zone focuses on creating small scale woodland to link woodland habitat and restoration, rather than mass woodland planting. The Chalk Valleys Conservation Zone conserves key green infrastructure assets as part of the movement, habitat and physical landscape network.