

ED46: Additional Paper – Hearings Matter 1 Issue 3 Sustainability Appraisal Note for Inspector on SA & Landscape Evidence

03 June 2021

Introduction

- 1 Natural England (NE) asserted in their Hearing Statement that site allocations are not supported by a Landscape and Visual Impact Assessment (LVIA) and thus there is insufficient evidence to enable DNPA to conclude no harm to the protected landscape. Where the SA concludes negative effects on landscape for allocations it does not conclude whether or how these can be mitigated.
- 2 This was discussed at the Hearing. DNPA considered there is no formal requirement to demonstrate 'no harm'. DNPA explained that the plan-making and SA processes had both used the same evidence – Landscape Character [SD113] for the whole NP area and the Landscape Sensitivity Assessment [SD114-117] for the relevant settlements. DNPA does not consider that LVIAs are appropriate studies for this plan preparation but rather may be more suitable for large scale allocations or applications. LVIAs would not be proportionate - taking into account the characteristics and scope of the DNPA Local Plan.
- 3 NE concurred somewhat but requested that there should be a greater level of scrutiny for landscape impacts on a site-by-site basis. The Inspector invited DNPA to suggest what might be a proportionate approach to such a request and what might be the implications – to be set out in short Note.
- 4 This note therefore seeks to satisfy this requirement and is accompanied by a further paper which sets out the site-by-site consideration of landscape matters informed by the Landscape Character Assessment, Landscape Sensitive Study and individual appraisals in the Development Sites Topic Paper. NE has in the later stages of the plan-making process requested an LVIA, a 'Landscape Impact Assessment and later a 'plan-level landscape appraisal'. Irrespective of the appropriate terminology, the aim being to have a document which draws together the consideration of landscape matter in respect of sites and demonstrates how any mitigation requirements are delivered through the Local Plan. DNPA has sought NE's input in understand their request, taken this into account, and considers this is accomplished in in a reasonable and proportionate way in this and the accompanying paper (ED36(2)).

The SA Process

- 5 The plan-making and SA processes are iterative, ongoing and share proportionate and relevant evidence at each stage of plan preparation. Potential options for consideration as proposed site allocations were subject to the Land Availability Assessment studies (LAA, 2017)¹ and the Sites Assessment Method. Landscape character and sensitivity was a criterion used in these methods. Any site options that might have likely major negative

¹ <http://www.dartmoor.gov.uk/living-and-working/business/planning-policy/background-evidence/land-availability-assessment-shlaa>

impacts on landscape were not taken forward into the list of reasonable alternatives to be tested through SA.

- 6 All site options that were found to be reasonable – suitable, available and achievable – were subject to SA individually using the full sites SA framework and with details provided in Appendix V (October 2017 & updated September 2018) [SD10] of the SA Report [SD05]. This included SA objective No 1 to conserve and enhance the landscape and settlement character of the DNP. These initial SAs of site options record potential minor negative effects but do not suggest any mitigation possibilities at this stage. However, the possibilities for mitigation measures are explicit in the significance categories for the SA (table 2.1) where minor negative is defined as mitigation and/or negotiation possible.
- 7 At this early stage of plan-making, the SA of each site option (for example, see pages 3-4 of SD10) references landscape evidence – character and sensitivity assessment where relevant – and includes relevant discussion of effects on a site-by-site basis, but also considering cumulative effects for each settlement. SA [SD05] paras 6.18-6.20 provide a discussion on the SA findings of site options for landscape and settlement character. It is noted that whilst most options might have minor negative effects, some options are neutral, and 2 options are minor positive because they are brownfield sites. There are no site options with major negative effects and para 6.19 explains that options would be expected to comply with the high standards in the Design Guide SPD (2011)², inferring that such a strong mitigation measure would ensure that minor negative effects would be satisfactorily addressed. The Design Guide SPD is part of the Local Plan and thus provides strong mitigation measures by guiding new development in the Dartmoor National Park through explanation, clarification, further details, and requirements in respect of landscape and character, sustainability, energy, inclusivity and accessibility, the historic environment, biodiversity and nature conservation. The Design Guide SPD addresses specific types of development, building elements and materials, and also addresses the spaces between buildings. Thus, overall, the SPD addresses a wide range of comprehensive mitigation measures that cover the likely effects from all types of new development within all types and ranges of receiving environment and communities. Chapter 1 of the SPD details the character of the landscape, settlements and buildings of the moorland areas, and the moorland fringe areas. Chapter 3 includes a section specifically for new development, including requirements for context and layout principles. This section also includes suggestions for specific landscaping mitigation measures – incorporating green infrastructure, grass, hedgebanks, street furniture, electricity and telephone cable, the external setting and landscaped areas in the public realm. It further details requirements for secure design, building elements and materials, gaps, and infill sites, and reinforces the requirements for local character.
- 8 At the next stage of SA, the preferred site options that are progressed were subject to SA and the findings are discussed in SA Report [SD05] paras 6.40-6.45. This considers the site allocations as drafted (with site-specific requirements) and the requirements of other Policies, such as SP2.1. SA para 6.44 explains that new development will also have to comply with Policies 1.6 & 2.1, and together with the Design Guide SPD ... "indicate that such negative effects can be mitigated". The site-specific requirements for Proposal 7.20 Land at Binkham Hill Yelverton providing some mitigation measures is also reported. Para

² <https://www.dartmoor.gov.uk/living-and-working/planning/planning-policy/supplementary-planning-documents/design-guide>

6.43 explains that overall, negative effects have been avoided or minimised through careful selection of location of sites.

- 9 It is accepted that SEA/SA is required to “*identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them*”³. Plan-making has applied the highest level of the mitigation hierarchy by avoiding sites that might have major negative effects. The SA of the options for sites identified likely effects ranging from minor negative through neutral to minor positive for landscape; there were no major negative effects found for any of the site options. The SA could have explicitly mentioned that mitigation measures could include planting for screening, orientation of buildings to minimise effects, and so on. However, it was appreciated that all new development in the DNP would be required to meet with the Design SPD (2011), which provides strong mitigation measures. The SA understood that site-specific requirements were being prepared in Development Site Briefs and that these, together with other Plan Policies, provided confirmation that mitigation measures are in place to resolve potential negative effects, including cumulative effects. The Design Guide SPD is part of the Local Plan and thus provides extant strong mitigation measures. The Development Site Briefs are informal guidance but are referenced in the Local Plan, and provide a clear steer in how the landscape policy requirements of the Plan would be met as part of an application, including explicit landscape mitigation advice. The plan-making process considered integral mitigation by avoiding any site options with major negative landscape effects. The SA process has considered embedded mitigation in the emerging Local Plan through the requirement for all new development to deliver good design – Strategic Policy 1.6 explains that design matters will be informed by the design principles set out in the supporting policy text and the Dartmoor Design Guide SPD.

Conclusion

- 10 For completeness, a site-by-site overview of the landscape matters identified and the response through the specific Proposal (allocation) requirements, supported by the detailed Development Site Briefs, is provided in an accompanying paper.
- 11 As a result of this further discussion with NE and consideration of mitigation, a modification is proposed to the Plan at 7.1.10 which provides a clearer reference to the advice contained in the Development Site Briefs, and a number of the Briefs have been or will be revised to include more specific reference to site-specific landscape mitigation.
- 12 Therefore, DNPA considers that the potential effects on landscape sensitivities and settlement character have been addressed on a site-by-site basis through the sites assessment and SA processes, and using relevant and proportionate evidence.

³ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#strategic-environmental-assessment-and-sustainability-appraisal>