

## CHAPTER 4 NATURAL & MAN-MADE ENVIRONMENT

### 4.1. LANDSCAPE CONSERVATION

#### 4.1.1. PARA. 4.1.4 & CHANGE NO 14

##### Objection

1089	Countryside Commission
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##### Conditionally withdrawn objection

2118	English Nature
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##### Inspector's note

PC14 satisfies objection 2118, which is conditionally withdrawn.

##### Issue

Whether the relation of the countryside character areas to nationally important landscapes should be clarified.

##### Inspector's reasoning and conclusions

I support PC14 which I consider appropriately meets objection 1089. It accords with both national and strategic guidance and usefully clarifies the purpose of the countryside character areas, which include the wider countryside, and their relation to the nationally important landscapes.

#### 4.1.1.1. RECOMMENDATION

**I recommend that the Plan be modified by PC14.**

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### 4.1.2. LOCAL PLAN OBJECTIVES & CHANGES NOS 15 & 16

##### Objections

382	Country Landowners Association
582	Somerset Wildlife Trust
1090	Countryside Commission

##### Conditionally withdrawn objections to PCs 15 and 16 respectively

2120	English Nature
2129	English Nature

##### Objection to PC16

2423	Council for the Protection of Rural England
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##### Supporter of PCs 15 and 16

2562	Somerset Wildlife Trust
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## **Inspector's note**

PC15 and PC16 satisfy objections 2120 and 2129, which are conditionally withdrawn.

## **Issues**

- (i) Whether an additional Local Plan Objective recognising the significance of biodiversity and ensuring no net loss - and ideally a net gain - is necessary in the interest of sustainability.
- (ii) Whether the first Local Plan Objective should refer to the hierarchy of landscape designations.
- (iii) Whether the second Local Plan Objective should refer to the identification and creation of opportunities to conserve the quality, diversity, and character of identified landscape character zones.
- (iv) Whether in PC16 'protect' should replace 'foster'.

## **Inspector's reasoning and conclusions**

### Issue (i)

PC15, which I support, adopts the formula advocated in objection 382 and clearly differentiates nationally important and designated landscapes from the countryside in general where, in accord with paragraphs 2.3 and 2.14 of PPG7, development should nevertheless be strictly controlled, both benefit economic activity and maintain or enhance the environment, and safeguard the countryside for its own sake

### Issue (ii)

I consider the amended wording of the Second Objective suggested in objection 1090 is tautologous.

### Issue (iii)

The additional Local Plan Objective inserted by PC16, which I support, adds a suitably proactive approach to the concept of sustainability through landscape restoration and habitat creation.

### Issue (iv)

I welcome the improvement in the Fourth Local Plan Objective suggested in objection 2423.

## **4.1.2.1. RECOMMENDATIONS**

### **I recommend that**

- (i) The Plan be modified by PC15 and PC16 in response to objections 382, 582 and 2423 save that in PC16 'foster' be deleted and replaced by 'protect'.**
- (ii) No modification be made in response to objection 1090.**

### 4.1.3. PARA. 4.1.5 AND CHANGE NO 20

#### Objections

583	Somerset Wildlife Trust
1091	Countryside Commission

#### Conditionally withdrawn objections

504	English Nature
583	English Nature
891	Somerset County Council
892	Somerset County Council

#### Supporters of PC20

2122	English Nature
2123	English Nature
2424	Council for the Protection of Rural England
2425	Council for the Protection of Rural England
2426	Council for the Protection of Rural England
2427	Council for the Protection of Rural England

#### Inspector's note

Objections 2122-4 and 2426/7 are conditionally withdrawn in response to PC20, which I support.

#### Issue

Whether the Plan should incorporate more detail and explanation on Landscape Character Zones and should indicate their use in policy formulation and development control.

#### Inspector's reasoning and conclusion

I consider the replacement of paragraph 4.1.5 by PC20 establishes the significant details and context of the defined Landscape Character Areas. The third sentence of the preamble clearly indicates how the LPA intends the information to be used in fostering locally distinctive developments.

#### 4.1.3.1. RECOMMENDATIONS

**I recommend that the Plan be modified by PC20.**

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### LANDSCAPE CHARACTER ZONES

#### 4.1.4. 1. BLUE ANCHOR BAY

##### Conditionally withdrawn objection

890	Somerset County Council
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##### Supporter of PC27

2424	Council for the Preservation of Rural England.
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### Inspector's note

The deletion of the Special Landscape Area designation by PC27 has overtaken the plea in objection 890 for its cartographic definition.

#### 4.1.4.1. RECOMMENDATION

**I recommend that the Plan be modified by PC27.**

#### 4.1.5. 4. THE QUANTOCK VALE & CHANGE NO 18

##### Objection

583	Somerset Wildlife Trust
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##### Conditionally withdrawn objections

504	English Nature
891	Somerset County Council

##### Supporters of PC18

2122	English Nature
2425	Council for the Protection of Rural England

### Inspector's note

Objections 504 and 891 are conditionally withdrawn in response to PC18, on which I comment below.

### Issue

Whether the reference to hedgerows in the 4<sup>th</sup> sentence requires clarification.

### Inspector's reasoning and conclusions

Like objection 583, I find PC18 unintelligible: it appears to imply that Dutch Elm disease and the removal of hedgerow and roadside vegetation are important for wildlife. I shall recommend a clearer wording of the fourth sentence of 4. The Quantock Vale.

#### 4.1.5.1. RECOMMENDATION

**I recommend that the Plan be modified by the deletion of the text of the fourth sentence of 4. The Quantock Vale and its replacement by:**

**Tree cover is important for wildlife; its currently limited amount is the result of Dutch elm disease and the removal of hedgerow and roadside trees.**

#### 4.1.6. 5. THE EXMOOR-BRENDON FRINGES & CHANGE NO 19

##### Conditionally withdrawn objection

892	Somerset County Council
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#### Supporters of PC19

2123	English Nature
2426	Council for the Protection of Rural England

#### Inspector's note

I support PC19 which provides the clarifications of the fifth and sixth sentences of paragraph 4.1.5 sought in objection 892. It also usefully updates the text by deleting reference to the SLA.

#### 4.1.6.1. RECOMMENDATION

**I recommend that the Plan be modified by PC 19.**

#### 4.1.7. PARA. 4.1.6 & CHANGE NO 21

##### Objection

893	Somerset County Council
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##### Supporter of PC21

2428	Council for the Protection of Rural England
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##### Conditionally withdrawn objection to PC21

2125	English Nature
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#### Inspector's note

Objection 2125 is conditionally withdrawn in response to PC21.

#### Issue

Whether reference should be made to the Environment Act 1995 and PPG7.

#### Inspector's reasoning and conclusion

I agree that a wider contextual reference would be appropriate. However, PC21 has been overtaken by developments in the strategic planning context. Subject to some minor points I therefore support the alternative modified text proposed by the LPA, which anchors the relationship between the District Local Plan area and Exmoor National Park on the one hand and on the other the Structure Plan Review and current Regional Planning Guidance.

#### 4.1.7.1. RECOMMENDATION

**I recommend that the Plan be modified by the deletion of the text of paragraph 4.1.6 and its replacement by the following:**

**A large part of the Plan area borders the National Park. Policy 2 of the Joint Structure Plan review states that particular care will also be taken to ensure that no development is permitted outside the National Park which would damage its natural beauty, character and special qualities or otherwise prejudice the achievement of the objectives of the designation of the National Park. The Regional Planning Guidance further emphasises the need to provide for strong protection and enhancement of the region's**

**internationally and nationally important landscape areas and nature conservation sites (Policy EN1: Landscape and Biodiversity).**

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**4.1.8. POLICY LC/1 & CHANGE NO 22**

**Objections**

41	English Sports Council - South West
773	British Wind Energy Association
1092	Countryside Commission

**Conditionally withdrawn objection**

787	Government Office for the South West
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**Supporters**

80	Exmoor National Park Authority
528	West Somerset Watchdogs
1013	Old Cleeve Parish Council

**Conditionally withdrawn objection to PC22**

2126	English Nature
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**Supporters of PC22**

2062	Exmoor National Park Authority
2429	Council for the Protection of Rural England
2499	Sport England

**Inspector's note**

Objections 787 and 2126 are conditionally withdrawn in response to PC22, which I support. The change refers to the consideration of proposals for development in areas bordering Exmoor National Park.

**Issues**

- (i) Whether 'significantly' should be inserted before 'adversely affect', to facilitate consideration of the recreational benefits of any development.
- (ii) Whether more precise definition of 'periphery of the Exmoor National Park' is required.
- (iii) Whether the setting of the Exmoor National Park should be protected.
- (iv) Whether the Policy recognises the need for balance between the need for and benefits of development and its environmental impact.

**Inspector's reasoning and conclusions**

**Issue (i)**

As to 'significantly' I consider the degree of emphasis in the deposit draft version of the Policy is

appropriate.

Issues (ii) and (iii)

Bearing in mind the highly varied nature of the localities where the Plan area has a boundary with the Exmoor National Park the consideration of proposals for development will always depend on a degree of discretion and I do not consider it practicable for detailed criteria to be prescribed for all eventualities. However, the detailed information on Landscape Character Areas in PC20 provides relevant information on localities which border the Exmoor National Park. In sum I consider PC22 adequately meets the objections, albeit it is not expressed in the overly precise terms sought in objection 1092.

Issue (iv)

Policy LC/1 essentially protects the character of Exmoor National Park. I consider the balance to be struck regarding development in areas bordering the Park is adequately established by reference in PC13 (new Policy SP/5) to benefiting economic or social activity while maintaining or enhancing environmental quality.

#### **4.1.8.1. RECOMMENDATION**

**I recommend that the Plan be modified by PC22.**

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#### **4.1.9. PARA 4.1.8 & CHANGE NO 23**

##### **Objection**

1093	Countryside Commission
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##### **Objection to PC23**

2298	Quantock Hills AONB Joint Advisory Committee
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##### **Supporter of PC23**

2127	English Nature
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##### **Issues**

Whether the text should be updated to refer to the current arrangements for the management of the Quantock Hills AONB .

##### **Inspector's reasoning and conclusions**

I support PC23 which adds a new paragraph updating and clarifying the management arrangements for the Quantock Hills AONB in relation to non-statutory projects and initiatives and in particular, under the Quantock Commons Management Plan, the management of hilltop commons. It also identifies the link between the Quantock Hills AONB Joint Advisory Committee and the planning system.

#### **4.1.9.1. RECOMMENDATION**

**I recommend that the Plan be modified by PC23.**

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#### **4.1.10. PARA. 4.1.9 & CHANGE NO 24**

##### **Conditionally withdrawn objection**

788	Government Office for the South West
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##### **Supporter of PC24**

2128	English Nature
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##### **Inspector's note**

I support PC24 which deletes the erroneous reference in the last sentence of paragraph 4.19 to the Structure Plan as a basis for development control.

##### **4.1.10.1. RECOMMENDATION**

**I recommend that the Plan be modified by PC 24.**

#### **4.1.11. PARA 4.1.10 & CHANGE NO 25**

##### **Conditionally withdrawn objection**

790	Government Office for the South West
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##### **Objection to PC25**

2430	Council for the Protection of Rural England
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##### **Supporter**

2121	English Nature
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#### **Inspector's note**

Objection 790 is conditionally withdrawn in response to PC25. The change, which I support, correctly modifies paragraph 4.1.10 to render it consistent with national policy in paragraphs 4.7 and 4.8 of PPG7.

#### **Issues**

Whether in PC25 'major' should be deleted and replaced by 'most'.

#### **Inspector's reasoning and conclusion**

The replacement of 'major' by 'most', sought as an amendment of PC25 in objection 2430, is not appropriate as it would restore the unduly restrictive tone of the deposit draft Plan.

#### **4.1.11.1. RECOMMENDATION**

**I recommend that the Plan be modified by PC 25.**

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#### **4.1.12. POLICY LC/2 & CHANGES NOS 26 & 27**

##### **Objections**

383	Country Landowners Association
584	Bourne Leisure Group Ltd
558	Somerset Wildlife Trust
1094	Countryside Commission

##### **Conditionally withdrawn objections**

42	English Sports Council - South West
505	English Nature
789	Government Office for the South West
895	Somerset County Council

##### **Supporters**

490	Rural Development Commission
529	West Somerset Watchdogs

### Objections to PC26

2185	Bourne Leisure Group Ltd
2431	Council for the Protection of Rural England
2499	Sport England

### Conditionally withdrawn objections to PC26

2099	English Nature
2199	English Nature

### Supporter of PC26

2109	English Nature
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### Inspector's note

Objections 42, 505, 789, 895, 2099, and 2199 are conditionally withdrawn in response to PC26.

### Issue

Whether the policy is consistent with national policy in paragraphs 4.7 and 4.8 of PPG7 regarding development in AONBs and relevant and appropriate to development likely to affect the character of the Quantock Hills AONB.

### Inspector's reasoning and conclusion

A diverse range of matters is raised by the objectors, namely the uncertain situation regarding the consideration of proposed development in locations peripheral to Exmoor National Park and the Quantock Hills AONB; the failure of the Policy to include wildlife concerns and to recognise explicitly the needs of agricultural enterprises; whether all industrial and commercial activity should be restricted; and whether in PC26 reference should be made to 'significant' harm. Essentially, save for the reference in objection 789 to the lack of consistency with national policy, the objections to the Policy express concern about the likely restrictive effect of the Policy on various types and scales of activity. I consider PC26 meets objection 789 by appropriately aligning the Plan with national policy.

The implementation of the Policy would clearly and necessarily rely on the discretion of the LPA as it is obviously impossible to foresee every development either within or adjacent to the Quantock Hills AONB that by reason of its type or scale could harm its natural beauty. The onus would be on the developer to show that his proposals avoided such an effect. However, the replacement of 'major' by 'most' sought as an amendment of PC 26 in objection 2431 is not acceptable as it would restore the overly restrictive tone of the deposit draft Plan. In the circumstances I consider PC26 adequately protects the quality of the Quantock landscape and areas peripheral to it consistently with national policy while having regard to the economic and social effects of development.

#### 4.1.12.1. RECOMMENDATION

**I recommend that the Plan be modified by PCs 26 and 27.**

#### **4.1.13. POLICY LC/3 & CHANGE NO 28**

##### **Objections**

349	Miss Thorne
384	Country Landowners Association
559	Bourne Leisure Group Ltd
774	British Wind Energy Association
1059	Hon R T Lytton

##### **Conditionally withdrawn objections**

791	Government Office for the South West
792	Government Office for the South West

##### **Supporters**

251	Mr K Pickering
418	J and C Durham
463	Mr H C Mason
464	Mr H C Mason
491	Rural Development Commission
530	West Somerset Watchdogs
669	Mrs R Underhill
673	Mr and Mrs B Cawsey
682	Mr and Mrs R Andrew
1014	Old Cleeve Parish Council

##### **Objections to PC 28**

2081	Hon R T Lytton
2186	Bourne Leisure Group Ltd

##### **Supporter of PC28**

2095	English Nature
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#### **Inspector's note**

I deal with objection 349 as a housing omission site in Chapter 8 of this report. Objections 791 and 792 are withdrawn in response to PC28 which withdraws the Special Landscape Area designation from the Proposals and Inset Maps. .

#### **Issues**

- (i) Whether Doniford Holiday Village should be excluded from the Special Landscape Area.

- (ii) The effect of PC28 on the enhancement and upgrading of such sites as Doniford Holiday Village.
- (iii) Whether Policy LC/3 exerts an inappropriate degree of restraint of development more appropriate to the AONB and fails to recognise that the scale, design and materials of such developments as wind energy installations require to be located in the open countryside.
- (iv) Whether Policy LC/3 is unnecessary, the general national policy of restraint of development in the open countryside being sufficient to protect such areas.
- (v) Whether PC28 provides an objective test for identifying land that is in some way demonstrably special.

### **Inspector's reasoning and conclusions**

Issues (i) and (ii)

I agree with the LPA that the identification and protection of the Special Landscape Area by Policy LC/3 is inconsistent with the 'character' approach to the protection of the countryside advocated in paragraphs 2.14 and 2.15 of PPG7. The Special Landscape Area designation has been removed to secure consistency with Policy 5 of the adopted Joint Structure Plan Review and national policy guidance. The consequence is that with the approval of the change Doniford Holiday Village will no longer be subject to the Special Landscape Area designation and any proposals for development there will be subject to consideration under the new Policy LC/3 imported by PC28.

Issue (iii)

The weight given to Special Landscape Areas in the draft deposit Plan is removed by PC28 in accordance with paragraph 4.16 of PPG7 and Policy 5 of the Joint Structure Plan review. I consider that requires explanation in the supporting text and I concur, save for minor amendment, with the proposed additional paragraphs 4.1.12 and 4.1.13 submitted by the LPA.

Issues (iv) and (v)

Paragraph 4.16 of PPG7, suggests such a designation as Special Landscape Area should only be used where normal planning policies cannot provide the necessary protection and where used the plan should describe what it is that requires extra protection and why. The text proposed to be published as Supplementary Planning Guidance on Landscape Character Areas will furnish detailed information on the character of the areas of the District falling outside the various settlement development boundaries. It will then fall to developers to demonstrate that their proposals respect the character of the local landscape in observance of the tests called for in objections 1069 and 2081. So far as concerns the principle of defining Landscape Character Areas I support PC28.

#### **4.1.13.1. RECOMMENDATIONS**

**I recommend that the Plan be modified by**

- (i) PC28; and**

(ii) The insertion of new paragraphs as follows:

**4.1.12. The deposit draft Local Plan contained references to the definition of Special Landscape Areas on the Proposals Map, a countywide designation covering 95% of the undeveloped land outside the Quantock Hills AONB. This policy area definition has been removed from the Plan and replaced by a more sensitive context based on Landscape Character Areas.**

**4.1.13. (New) Policy LC/3 seeks to embrace the character approach in protecting the countryside as advocated in PPG7 *The Countryside* and other strategic tiers of planning policy. The Authority's own Landscape Character Assessment provides detailed information on key characteristics and attributes which best define individual areas of West Somerset. Primary points have been incorporated in the Plan at paragraph 4.1.5. Development proposals in the countryside will in the majority of cases therefore be assessed under Policy LC/3 in combination with Policy SP/5 in the first instance.**