

Communities and Local Government: Consultation on examination procedures for nationally significant infrastructure projects

Landscape Institute response

October 2009

Introduction

The Landscape Institute (LI) is an educational charity and chartered body responsible for protecting, conserving and enhancing the natural and built environment for the benefit of the public. It champions well-designed and well-managed urban and rural landscape. The Institute's accreditation and professional procedures ensure that the designers, managers and scientists who make up the landscape architecture profession work to the highest standards. Its advocacy and education programmes promote the landscape architecture profession as one which focuses on design, environment and community in order to inspire great places where people want to live, work and visit.

The LI welcomes the opportunity to submit its views as part of the consultation on the examination procedures for nationally significant infrastructure projects.

Consultation question 2:

What assessors would be acceptable to assist the examining authority to consider the relevant issues. To what extent would independent regulators, for example, the Health and Safety Executive, be suitable?

We consider there will be a need for a whole range of technical assessors, the areas of which will be dependent on the project type and the skills of the commissioner(s) on the panel. Independent regulators may be appropriate in some areas, but there may be technical areas not covered by such regulators. The Commission could also work with a panel of technical experts such as that set up for the Planning Inspectorate by RICS under the Expert Advisors in Planning Services (EAPS). On this particular point, we consider the cost per day for technical assessors to be low as an average at £565/day.

In terms of assessment of design issues, we consider a design review function will be appropriate at various stages through the process and this could most usefully be part of the national design review panel run by CABE. Whilst commissioners would have access to design review panel commentaries, they may also need input from CABE for design assessment of the specifics in the application proposals. Landscape advice could come from CABE or Natural England.

Consultation question 6:

Do you agree with the list of statutory parties? Are there any others which you feel should be included?

We consider the Forestry Commission (FC) should be consulted on all applications, not just 'where an application is likely to affect the protection or expansion of forests and woodlands' as the potential for new woodland planting and the need for ongoing management and maintenance might be, or become, part of an FC initiative.

Consultation question 11:

Are there any 'have regard to' requirements on decision makers that have been missed from the list in this statutory instrument?

We note that the EU Environmental Impact Assessment (EIA) and Habitats Directive are dealt with elsewhere. However, we wish to draw attention specifically to our previous correspondence with the Department on the matter of landscape and visual impact assessment (LVIA) being a required part of the EIA process. These elements (landscape and visual impact assessment) are not listed in the required validation lists for planning applications – a position with which we disagree and have written on previously. And NSIP is likely to have an impact on the landscape and on views. Therefore we consider the requirement for LVIA is likely to be important for most, if not all, projects under consideration by the IPC. If this is not included in the EIA process, it needs to be included here. The Landscape Institute would be pleased to offer further guidance in this regard.

Relating to this, we advocate the definition of landscape as set out in the European Landscape Convention (ELC), which was ratified by Government in 2007, as follows. Article 1 of the ELC states that landscapes means:

'...an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors. The term 'landscape' is thus defined as a zone or area as perceived by local people or visitors, whose visual features and character are the result of the action of natural and/or cultural (that is, human) factors. This definition reflects the idea that landscapes evolve through time, as a result of being acted upon by natural forces and human beings. It also underlines that a landscape forms a whole, whose natural and cultural components are taken together, not separately.'

The Landscape Institute would like to thank CLG for the opportunity to contribute to this consultation. For any queries relating to this response, or for future consultations, please contact:

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