
Department for Communities and Local Government consultation on the Validation of Planning Applications: Draft Guidance for Local Authorities, October 2007

Response of the Landscape Institute

Introduction

The Landscape Institute is the Chartered Institute in the UK for Landscape Architects, incorporating designers, managers and scientists, concerned with enhancing and conserving the environment. The Landscape Institute promotes the highest standards in the practice of landscape planning, design, management and research, representing members in private practice, at all levels of government and government agencies and in academic institutions and commercial organisations.

The Institute welcomes the opportunity to respond formally to the proposed guidance on the validation of planning applications, as set out by the Department. Our comments on the document follow, with general views to begin followed by more specific comments with reference to particular areas of the draft guidance.

General comments on the Draft Guidance

One of the primary concerns of the Landscape Institute relates to the 'Recommended national list of local requirements that may be adopted locally'. The Institute believes that there is a danger that local authorities might not develop their own separate list and will instead simply revert to the default list for additional information that can be required by the local authority to validate a planning application. The Landscape Institute believes strongly that Environmental Impact Assessments (EIA) should also include Landscape and Visual Impact Assessments (LVIA). However, where an EIA is not required, we feel it is important that local authorities do have the power to request LVIA's as a separate and specific requirement.

Specific comments on the Draft Guidance

National Statutory Requirements – site and other plans: pages 17/18

The Landscape Institute feels it is important that the guidance should specify the limit for including information on footpaths in the adjoining land, i.e. how close should a footpath be in order to warrant its inclusion. Furthermore, we feel that the guidance should state 'known rights of way' as definitive footpath data can prove difficult to obtain.

Recommended national list of local requirements that may be adopted locally: pages 22 to 30

The Landscape Institute feels that Landscape and Visual Impact Assessment should be added to the 'Recommended national list of local requirements that may be adopted locally', perhaps most appropriately at page 26. We feel that the following should be included:

Landscape and Visual Impact Assessment

'A landscape and visual impact assessment shall form part of the supporting evidence for applications that have an impact on the landscape character of an area or include development proposals that will change views to an extent which are deemed to be potentially significant by the local authority. These should be informed by guidance such as Guidelines for Landscape and Visual Impact (LI & IEMA 2002, first published 1995).

'The landscape character and visual impact assessment shall be carried out over a wider study area than that which the development proposals cover. The extent shall be determined based on assessment of the type and magnitude of development and the nature of the surroundings. In urban areas an urban character assessment shall be carried out as part of the baseline. The assessment may include a range of illustrative techniques such as photomontages.

'Landscape character and visual impact assessments shall be carried out by a suitably qualified professional.'

Photographs and photomontages: page 27

The Landscape Institute believes it would be worthwhile to include the following statement under the paragraph entitled 'Photographs and photomontages':

'These tools shall form part of the landscape and visual impact assessment.'

Local requirements: page 36

The Institute feels it is important to include Landscape and Visual Impact Assessment within this list.

Appendix A – List of information by type of application: pages 31-70

The Landscape Institute feels it is important that Landscape and Visual Impact Assessments are included in the possible local requirements of each of the following types of application which are outlined in Appendix A of the Draft Guidance. The Institute accepts that the scale of proposals should be taken into account when deciding whether or not LVIAs are appropriate but believes that it is important that local authorities can request such assessments.

- Application for planning permission: pages 37-38
- Application for planning permission with some matters reserved: pages 39-40
- Application for outline planning permission with all matters resolved: pages 41-42
- Application for planning permission and Conservation Area consent for demolition: pages 43-44
- Application for planning permission and Listed Building consent: pages 45-46
- Application for planning permission and Advertisement consent: pages 47-48
- Conservation Area consent for demolition in a Conservation Area: page 49
- Listed Building consent for alterations, extension or demolition of a listed building: page 50-51
- Application for Advertisement consent: page 52
- Listed Building consent for alteration, extension or demolition of a listed building and advertisement consent: pages 53-54
- Application for prior notification of proposed agricultural development – proposed building: page 57
- Useful supporting information – application for prior notification of proposed agricultural development – proposed road: page 58
- Useful supporting information – application for prior notification of proposed agricultural development – proposed excavation/deposit of waste material from the farm: page 59
- Useful supporting information – application for prior notification of proposed development in respect of permitted development by electronic communications code operators: 61-62
- Application for Hedgerow Removal Notice: page 63
- Application for Approval of Reserved Matters following outline approval; should this not have been conducted at outline stage: page 65
- Application for removal or variation of a condition following grant of planning permission (Section 73 of the town and Country Planning Act 1990); should this not have been conducted at outline stage: page 67-68

The Landscape Institute would like to thank the Department for Communities and Local Government for being given the opportunity to contribute to the Validation of Planning Applications: Draft guidance for local authorities. For any queries relating to this response, or for future consultations, please contact:

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