

16. Landscape and Landscaping

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Introduction

16.1 90% of the District is countryside, the appearance of which is highly valued by local residents. Proximity to London and Harlow means that the countryside is also an important regional resource for visitors, but this creates pressures for over-use, inappropriate development or dereliction. It is therefore important to ensure that the quality and character of the rural landscape are maintained and enhanced, rather than threatened by the demands being placed upon the rural area. A detailed and, where possible, objective assessment of the landscape, and of the impact of development proposals, will be necessary to secure appropriate conservation and management of the countryside.

16.2 Landscape in towns and villages includes:-

- (a) all deliberately undeveloped or 'green' sites which have actual or potential public use;
- (b) all planted areas and other natural features which contribute to the public character of a town or village (including private gardens and river corridors);
- (c) countryside fringes;
- (d) unused or derelict sites which are being colonised by vegetation and are developing a value for nature conservation.

This landscape is valued by its condition and its public accessibility, visibility and use.

16.3 Development and change are inevitable and necessary processes in towns and villages. The influence and impact of these activities within settlements are probably greater where they are tightly constrained elsewhere by Metropolitan Green Belt policies. In this District therefore, development proposals need to be seen and used as opportunities for examining how the landscape in urban areas, in all its constituent parts, can be retained, managed, enhanced and extended.

16.4 Trees are especially important to the landscape and are widely appreciated for enhancing the rural and urban environment. They provide living links with the past and have come to symbolise the importance of the natural world and its vulnerability to human activities. This partly explains the public desire to retain mature trees, particularly in urban areas. Practical policies and efficient procedures which give attention to the long-term needs of trees should help to ensure that the quality of the landscape is maintained and enhanced. The importance of younger established trees should not

be underestimated as they are often more suitable for retention within building sites.

16.5 Development also provides opportunities for new planting and landscaping (although this seldom compensates adequately for the loss of existing trees). Landscape provision ranges in scale from a small extension being 'softened' by a single tree or shrub to a new golf course altering the appearance of many hectares of countryside, and requiring new hedgerows, woodland and varied types of grassland. Although it may be many years before the benefit of new landscaping can be fully appreciated, a good scheme of whatever scale is an investment in the future.

Policy Context

16.6 PPG7 outlines the changes in farming policy and the processes of diversification in the countryside which are likely to continue. Land being taken out of agricultural production creates opportunities for landowners to follow other options such as "non-food crops, planting more woodland, recreation and leisure enterprises, the management of land to provide environmental benefits, and the restoration of damaged landscapes and habitats". The planning system helps to integrate this development (which may be necessary to sustain the rural economy) with "protection of the countryside for the sake of its beauty, the diversity of its landscape and historic character, the wealth of its natural resources and its ecological, agricultural, recreational and archaeological value." The Council will continue to respond realistically and positively to these issues and will endeavour to ensure that a flexible approach is adopted towards further changes.

16.7 The Government also attaches importance to the retention of recreational and amenity open space in built-up areas. PPG17 advises that "..... Plans will need to distinguish on the Proposals Map between: (i) open spaces which in the Authority's view will need to be protected from development for as far ahead as can be foreseen; (ii) sites which are temporarily allocated to recreational use; and (iii) unused open land which may be suitable for development." Planning decisions resulting in the development of open space should, therefore, take into account the long-term impact of the loss of such space.

16.8 The Council has a duty under the Town and Country Planning Act 1990 to:

ensure, wherever it is appropriate, that, in granting planning permission for any development, adequate provision is made

for the preservation or planting of trees by the imposition of conditions; and

- (a) make Tree Preservation Orders, where appropriate, in connection with any permission.

16.9 Circular 36/78 (Trees and Forestry) is the most recent Government advice dealing with trees. It acknowledges "the increasing public awareness of the value of trees as an important element in the quality and enjoyment of the environment. Trees soften and add character to built-up areas." It also recognises that "the impact of new building development is generally enhanced (or mitigated) where adequate landscaping proposals are implemented" and therefore stresses that "this aspect should be given due consideration when applications for planning permission are submitted". Paragraph 14 of PPG1 (February 1997) states that "...As the appearance and treatment of the spaces between and around buildings is often of comparable importance to the design of the buildings themselves, landscape design should be considered as an integral part of urban design."

16.10 "Tree Preservation Orders: A Guide to the Law and Good Practice" (D.o.E. 1994) stresses that local planning authorities should ensure that policies should "reflect the practical measures needed to protect trees and other natural features and provide for new tree planting and landscaping". Applicants "should ensure that applications [for planning permission] are properly presented, containing all the information necessary for a decision". Specific advice is given on the factors governing realistic integration of trees within proposed development.

16.11 The Hedgerow Regulations 1997, enacted under Section 97 of the Environment Act 1995, give the Council responsibilities which may allow it to prevent the removal of important hedgerows.

16.12 Policies in the current Structure Plan cover issues such as:-

- protecting the natural beauty, amenity and traditional quality of the Essex landscape;
- protection of grades 1, 2 and 3a agricultural land;
- not normally permitting the displacement of open land uses from within built-up areas;
- satisfactory provision for the location and amount of open land;

- the safeguarding of natural features of townscape value and of areas of open space in towns and villages;
- the retention and management of important wildlife habitats; and
- the retention of woods, trees and hedgerows.

16.13 The 1986 County Council Countryside Conservation Plan includes nearly half the District in Special Landscape Areas ("Epping Ridges" and "Roding Valley") within which development should accord with their special character. The Conservation Plan also includes the "Lea Valley" as a Landscape Improvement Area in which the County Council intends that "emphasis will be given to measures that will help to restore and enhance damaged landscapes".

16.14 The District Council's Environmental Charter proposes that "towns and villages will have new policies to prevent the worst of town cramming, preserve open spaces, and protect and improve townscapes". The Charter refers in particular to:-

- (a) the Council setting a good example by the environmentally conscious management of land within its care;
- (b) ensuring that developers give proper thought to landscaping, and to the use of the most appropriate species of trees and shrubs; and
- (c) ensuring that trees on development sites are properly protected.

Protection of the Rural Landscape

16.15 The visual quality and wildlife value of the local countryside have declined over many years for a number of reasons. Government policies and economic pressures led to evermore intensive forms of arable agriculture with the consequent loss of a very large number of individual trees and many miles of hedgerows. The widespread use of fertilisers and herbicides continues to restrict the habitat diversity of the rural areas and can result in the pollution of water courses. Extensive field drainage schemes introduced again to increase cereal production resulted in the loss of wetland, meadows and many small ponds. Traditional forms of land management declined at the same time, again because of the prevalent national policies and economic circumstances. Woodlands, in particular, became neglected and gradually overgrown with

deterioration in their visual and ecological value.

16.16 Dutch Elm disease effectively wiped out the entire population of mature elm trees in the District and still continues to prevent the younger trees from reaching maturity. Through lack of knowledge rather than deliberate vandalism many public schemes (eg new roads or improvements to roads and rivers) have damaged landscape features or have had an unfortunate visual impact in the countryside. Temporary but long-term uses such as gravel extraction cause significant disturbance for many years. The decline or dereliction of buildings is a continuing problem, particularly as the economic circumstances facing agriculture and glasshouse horticulture change.

16.17 The countryside is not a museum and must not be treated as such. The uses that are made of its resources, and consequently its appearance, will inevitably change in response to development needs and pressures and other economic circumstances, and to public interest in or concern about its condition. Set-aside of agricultural land will also have an impact, although specific effects are still hard to predict. As planning authority, the role of the District Council is to attempt to guide these changes in an effort to reconcile the frequently conflicting needs or demands of the various interests. In line with policy NR2 of the Essex County Structure Plan it will remain a priority to protect the best and most versatile agricultural land (ie grades 1, 2 and 3a of the Ministry of Agriculture, Fisheries and Food Classification) from irreversible loss.

16.18 The Town and Country Planning Act 1990 directs that a Local Plan shall include policies to cover, amongst other issues:-

- (a) the conservation of the natural beauty and amenity of the land; and
- (b) the improvement of the physical environment.

The Council believes that the protection and sympathetic management of the rural landscape are fundamental to the success of this Local Plan.

POLICY LL1

THE COUNCIL WILL CONTINUE TO ACT TO:

- (i) **CONSERVE AND ENHANCE THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE; AND**

- (ii) **ENCOURAGE THE CONSIDERATE USE AND ENJOYMENT OF THE COUNTRYSIDE BY THE PUBLIC.**

SUBJECT TO SPECIFIC CIRCUMSTANCES, PARTICULAR ATTENTION WILL BE PAID TO:

- (a) **THE NEEDS OF AGRICULTURE, WOODLAND PLANTING AND MANAGEMENT, AND OTHER HABITAT AND WILDLIFE CONSERVATION;**
- (b) **THE PROVISION OF FACILITIES FOR PUBLIC ACCESS AND INFORMAL RECREATION AND TO ENABLE QUIET ENJOYMENT;**
- (c) **THE PROTECTION OF HISTORIC FEATURES AND THEIR SETTINGS; AND**
- (d) **THE ACHIEVEMENT AND CONSERVATION OF VISUALLY ATTRACTIVE LANDSCAPES.**

16.19 The planning activities which will implement this policy include:-

- (i) producing and using specific management plans;
- (ii) direct action on Council-owned sites and on land in other ownerships subject to prior agreement;
- (iii) promoting and publicising good practices and management techniques;
- (iv) rigorous use of development control and enforcement powers - especially to achieve basic standards and environmental gains from development proposals;
- (v) implementing, evaluating and, where necessary, modifying relevant policies and procedures; and
- (vi) enforcement of the Hedgerow Regulations 1997, under S.97 of the Environment Act 1995.

16.20 It is therefore essential that development proposals identify, and make allowance for, the general character, appearance and special interests of the countryside and its landscape. The Council intends to try to ensure that these aspects are respected or enhanced by any new development.

POLICY LL2

THE COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR DEVELOPMENT IN THE COUNTRYSIDE UNLESS IT IS SATISFIED THAT THE PROPOSAL WILL:-

- (a) **RESPECT THE CHARACTER OF THE LANDSCAPE; AND/OR**
- (b) **ENHANCE THE APPEARANCE OF THE LANDSCAPE; AND**
- (c) **WHERE APPROPRIATE, INVOLVE THE MANAGEMENT OF PART OR ALL OF THE REMAINDER OF THE SITE TO ENHANCE ITS CONTRIBUTION TO THE LANDSCAPE.**

16.21 Some locations are especially sensitive to development because of their prominence in the landscape. The Council is particularly keen to ensure that new building on the edge of villages and towns will not result in an abrupt or hard jarring boundary with the adjoining countryside. The evidence of poorly designed edges to inter-war and early post-war housing estates persists to this day. The Council intends to make sure that any new schemes are more sympathetic to their setting.

POLICY LL3

THE COUNCIL WILL REQUIRE PROPOSALS FOR DEVELOPMENT ON THE EDGES OF SETTLEMENTS TO SHOW A SENSITIVE APPRECIATION OF THEIR EFFECT UPON THE LANDSCAPE BY:-

- (i) **EXTENSIVE LANDSCAPING; AND/OR**
- (ii) **REDUCED DEVELOPMENT DENSITIES; AND/OR**
- (iii) **THE USE OF SUBDUED MATERIALS AND COLOURS; AND/OR**
- (iv) **OTHER TECHNIQUES AIMED AT SOFTENING OR IMPROVING THEIR IMPACT.**

16.22 There is now a requirement for a landowner or developer to apply for a determination as to whether the prior approval of the planning authority is required for certain details of some agricultural and forestry developments. The details are:-

- (a) the siting, design and external appearance of a new, or an extended, building;
- (b) the siting and means of construction of a private roadway;
- (c) the siting of any excavation;
- (d) the appearance of a tank or cage in water (for fish farming).

16.23 The Council has 28 days to determine whether the formal submission of any of these details is required. It is not open to the authority to refuse permission for the principle where it is satisfied that the proposal fully complies with all the requirements for permitted development rights (see para 5.56). The Council can only comment on the details and it is considered that this will only be necessary in a relatively small number of cases - the Government has indicated that delay in carrying out bona fide agricultural projects should be avoided.

POLICY LL4

IN DECIDING WHETHER TO REQUIRE DETAILS OF AN AGRICULTURAL OR FORESTRY-RELATED DEVELOPMENT, THE COUNCIL WILL HAVE REGARD TO:-

- (i) **THE VISUAL SENSITIVITY OF THE SITE IN THE LANDSCAPE;**
- (ii) **THE PROXIMITY TO BUILDINGS OR FEATURES OF HISTORICAL OR ARCHITECTURAL INTEREST OR SITES OF NATURE CONSERVATION VALUE;**
- (iii) **THE DESIGN AND APPEARANCE OF THE PROPOSED DEVELOPMENT IN THE CONTEXT OF ITS SETTING; AND**
- (iv) **ANY OTHER SPECIAL SITE-SPECIFIC CIRCUMSTANCES.**

16.24 Applications for approval of the appropriate details submitted as a result of this policy will be considered in accordance with normal development control criteria.

16.25 Other action by the Council to protect the rural landscape is dependent on partnership and co-operation with landowners, local councils, voluntary bodies, and other public agencies. The establishment of Epping Forest Countrycare as a permanent service has been the Council's main initiative in achieving these objectives. Countrycare

works with volunteer labour to:-

- (i) conserve the attractiveness and amenity of the countryside;
- (ii) conserve wildlife habitat;
- (iii) improve public access to the countryside; and
- (iv) improve public awareness of, and respect for, the countryside.

This work is supplemented by guided walks, the development of a series of circular rights of way, establishing contacts with schools, giving talks and offering advice on conservation matters, and taking part in exhibitions. The growing success and popularity of the scheme derives from its emphasis on co-operation with farmers and landowners.

16.26 Equipment, buildings and other structures of public utility companies and statutory undertakers are frequently prominent features in the countryside. Some of these structures do not require planning permission and the Council therefore has little influence over their introduction into the landscape. They are often incongruous in their rural setting - electricity pylons, masts and aerials being especially prominent examples. While the need for their existence cannot be questioned, the companies will be encouraged to ensure that their environmental impact is minimised. Measures which can be adopted include relocation to less prominent or sensitive sites, careful siting within selected areas, the provision of effective landscaping schemes, sympathetic choices of types or colours of materials, painting of existing structures to reduce their impact, and even the undergrounding of overhead lines.

16.27 Public bodies responsible for countryside matters (including MAFF) have started to introduce an evolving series of grant-aid schemes mainly as a result of the change in national policies towards food production. The schemes are aimed at encouraging less exclusive or intensive forms of land use and at promoting the importance of landscape and wildlife conservation. The Council is keen to endorse and promote these important initiatives and will do so through the continuing work of Countrycare and by the production, subject to resources being available, of various leaflets on countryside management and landscape conservation.

Protection of the Urban Landscape

16.28 The sites identified as urban open spaces on the Proposals Map are significant landscape

elements of the built-up areas and are worthy of retention as such. Their public value includes:-

- (a) visual amenity;
 - (b) nature conservation, historic or other cultural interest;
 - (c) use for relaxation, recreation or education.
- This value applies even if, by virtue of their current management, the potential of any of the sites is not being fully realised.

POLICY LL5

THE COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR DEVELOPMENT WHICH WOULD RESULT IN EITHER:-

- (i) THE TOTAL LOSS OF; OR**
- (ii) ANY EXCESSIVE ADVERSE EFFECT UPON,**

ANY URBAN OPEN SPACES (INCLUDING THOSE IDENTIFIED AS SUCH ON THE PROPOSALS MAP) WHICH CONTRIBUTE, OR HAVE THE POTENTIAL TO CONTRIBUTE, SIGNIFICANTLY TO THE AMENITY OF THE LOCALITY.

POLICY LL6

IN GRANTING PLANNING PERMISSION FOR PARTIAL DEVELOPMENT OF ANY AREA OF URBAN OPEN SPACE (INCLUDING THOSE IDENTIFIED ON THE PROPOSALS MAP) THE COUNCIL WILL NEED TO BE SATISFIED THAT:-

- (i) THE PREDOMINANTLY OPEN NATURE OF THE REMAINDER OF THE SITE IS RETAINED; AND**
- (ii) THE SCHEME PROVIDES FOR THE APPROPRIATE MANAGEMENT OF THE REMAINDER OF THE SITE TO ENHANCE ITS:-**
 - (a) VISUAL IMPORTANCE; AND/OR**
 - (b) NATURE CONSERVATION INTEREST; AND/OR**
 - (c) RECREATIONAL POTENTIAL.**

WHERE THE DEVELOPMENT INVOLVES

PLAYING FIELDS, POLICY RST14 WILL ALSO APPLY.

16.29 Other urban open spaces, including roadside verges and areas of amenity space, particularly those in residential estates, can be of considerable value to the community but are too small to be shown on the Proposals Map.

16.30 Adverse effects can include:-

- (a) blocking of views of or from the space;
- (b) increasing noise to reduce enjoyment of the site; or
- (c) making public access more difficult or dangerous.

16.31 The Council accepts that there may be rare occasions where the need for a particular development will over-ride the public value of an area of open space. The general principle which will be applied in these instances is that there should be no aggregate loss to the community. This may mean the provision of, or a financial contribution towards, replacement open space of at least equal community benefit. Any such replacement could be on-site or elsewhere and the Council may seek the use of appropriate legal agreements (see Policy I1). Factors to be included in assessing the value of replacement land are location, public accessibility, size, convenience, condition and potential use. Any such development proposals should comply with all other relevant policies of the Plan.

16.32 The more significant open sites in towns and villages are generally either school playing fields or planned areas associated with institutional buildings, flats and the larger residential estates. The functions of the planned areas include:-

- (i) providing visual contrast with the buildings;
- (ii) presenting opportunities for the establishment of public landscaping; and
- (iii) in the case of the housing areas, allowing informal and formal recreational uses close to home.

16.33 With some of the larger open sites on the older residential estates, however, it appears as if the provision of open space was seen as an end in itself. Mown grass predominates and the rather drab uniformity of many of these areas is only occasionally relieved by tree planting. This lack of variety limits the visual interest of the sites and also

means that they have minimal wildlife value. The sites do allow for much informal recreational use but there is little doubt that their full potential in contributing to the landscape is not being achieved. Many of the smaller open sites are either too isolated or of a size or shape which similarly limits their landscape value. While, therefore, it is important to protect open space because of its contribution to the landscape, it is equally important to define carefully the objectives of management and to implement appropriate practices.

16.34 The issue needs more detailed study in consultation with local residents. The Council therefore intends to carry out a survey of open space within towns and villages to establish or identify:-

- (a) the use currently being made of sites and the cost of management;
- (b) what problems or conflicts of use there are;
- (c) what community value is placed on the sites;
- (d) the potential for other uses which protect the landscape and meet other community objectives; (eg the creation of parks by amended mowing regimes, increased planting and furniture provision);
- (e) the cost of new management practices.

16.35 It is possible that limited development on, or a change of use of, some open spaces will satisfy local needs and wishes, but the Council will need to ensure that other environmental factors are being taken fully into account.

Trees of Public Amenity Value

16.36 All parts of the District benefit from the presence of trees and woodland and the Council will therefore take appropriate action to encourage continuity and enhancement of the tree cover. The Council has adopted a strategy for trees until the year 2,000, "Trees Please". It commits the Council to working with Town and Parish Councils, local groups and individuals to "help [Epping Forest District] become even 'greener' in the future". In partnership it is proposed to work towards ensuring that:- existing trees are well looked-after; special attention is given to the District's most valuable trees; and the right kind of trees are planted in the right place and the right care provided for them.

16.37 In addition to its duties with regard to the protection and planting of trees in considering development proposals (see para 16.8), the Council

is empowered to make Tree Preservation Orders when it is expedient in the interests of amenity. It will, therefore, use this power where it considers that there will be a clear benefit to public amenity through bringing trees and woodland under planning control.

POLICY LL7

THE COUNCIL WILL:

- (i) **PROMOTE TREE AND WOODLAND PLANTING WHERE IT IS CONSIDERED THAT THIS WILL LEAD TO SIGNIFICANT AMENITY BENEFIT;**
- (ii) **SEEK TO PROTECT TREES AND WOODLAND OF AMENITY VALUE; AND**
- (iii) **PROMOTE GOOD STANDARDS OF TREE CARE AND WOODLAND MANAGEMENT.**

16.38 Where the amenity value of trees has been recognised by the service of a Tree Preservation Order, it is desirable that they be allowed to live out their full lifespans, enhanced by careful management where appropriate. Major pruning or felling however should be seen as a last resort, only to be undertaken when demonstrated to be fully justified. Minor works, carefully specified, which resolve particular problems without harm to health or appearance, will normally be accepted as beneficial to long term retention.

16.39 It is unlikely that the Council will be faced with applications for the clearance of a preserved woodland. However, any such proposals will be considered in the light of (a) the historic significance and (b) the present or potential landscape, amenity and wildlife interest of the woodland. Policies LL1 and NC1 - NC5 will be used where they are relevant or appropriate.

16.40 The Council will establish a programme, which will include community involvement, to recognise trees which make a special, unique, or irreplaceable contribution to local amenity. These will be designated as "Landmark Trees" and priority will be given to their protection and management.

POLICY LL8

THE COUNCIL WILL GIVE CONSENT FOR WORKS TO A TREE OR WOODLAND PROTECTED BY A TREE PRESERVATION ORDER PROVIDED IT IS SATISFIED THAT:-

- (i) **THE HEALTH AND APPEARANCE OF THE TREE WILL NOT BE IMPAIRED; AND**
- (ii) **THE WORKS WILL NOT UNJUSTIFIABLY INHIBIT OR PREVENT THE FULL AND NATURAL DEVELOPMENT OF THE TREE; OR**
- (iii) **THE WORKS ARE NECESSARY TO ITS CONTINUED RETENTION AND CONSISTENT WITH GOOD ARBORICULTURAL PRACTICE; OR**
- (iv) **IN THE CASE OF A WOODLAND, THE PROPOSED WORKS ARE CONSISTENT WITH THE PRINCIPLES OF SOUND WOODLAND MANAGEMENT.**

16.41 For the purposes of this policy, "works" is defined as comprising the cutting of any part of the tree (including the roots). The types of works that will normally be approved therefore include minor lifting or thinning of the crown, removal of suckers and formative pruning but not major reductions in the overall height or spread of a tree.

16.42 The circumstances in which the major pruning of such a tree might be appropriate include:-

- (a) where the current form of the tree and permitted use of the site have become incompatible so the tree cannot reasonably be retained without major pruning; or
- (b) where the form of the tree is causing a danger or other significant problems and where no other reasonable solution exists.

POLICY LL9

THE COUNCIL WILL NOT GIVE CONSENT TO FELL A TREE OR WOODLAND PROTECTED BY A TREE PRESERVATION ORDER UNLESS IT IS SATISFIED THAT THIS IS NECESSARY AND JUSTIFIED. OTHER THAN FOR WOODLAND ANY SUCH CONSENT WILL BE CONDITIONAL UPON APPROPRIATE REPLACEMENT OF THE TREE.

16.43 The Council believes that good design of new development, and sensible management of trees (both of which it promotes) will normally be sufficient to allow long-term retention of preserved trees. However it accepts that in certain circumstances it will be reasonable to allow preserved trees to be replaced.

16.44 These circumstances will normally be limited to:-

- (a) where the retention of the tree and the permitted use of the site have become incompatible, and pruning is not a reasonable alternative; or
- (b) where the tree is causing a danger or other significant problems and where no other reasonable solution exists; or
- (c) where the tree is of limited value and replanting can at least adequately compensate for its loss.

The Council will give priority to the retention of existing or potential Landmark Trees.

Landscaping - protecting existing features

16.45 The Council will expect development proposals to make adequate provision for the retention of trees which it considers to be of significant or potential amenity value. Although trees may be visually dominant, other vegetation features can be of equal or greater importance ecologically and contribute visually to the landscape. Man-made features such as ponds may provide a valuable habitat and be of historical or archaeological significance. It is vital therefore that the design of development makes due allowance for the value and significance of such features, and retains them in an appropriate context.

16.46 Developers will be expected to provide a comprehensive site survey identifying the trees and other natural and landscape features of the site as part of a planning application. Accurate site plans, indicating the true positions and sizes of trees, hedges, shrubs and other vegetation, and physical features such as changes of level, ponds, streams, ditches, mounds etc are essential. The information submitted must clearly distinguish trees or other features to be removed from those to be retained. The Council will expect applications to recognise where trees or other features on adjacent land will be significant in the consideration of the application and will, therefore, expect surveys to include consideration of the adjacent area. In appropriate cases, where applications are on highly visible sites or have a potentially significant impact, the Council will expect submission of a landscape, ecological or heritage appraisal and assessment and may also require arboricultural, landscape or ecological impact studies, and related method statements. These will assist in accurate assessment of the effects of the proposed development and will describe how features shown to be retained or created

will be safeguarded.

POLICY LL10

THE COUNCIL WILL REFUSE TO GRANT PLANNING PERMISSION FOR ANY DEVELOPMENT WHICH IT CONSIDERS MAKES INADEQUATE PROVISION FOR THE RETENTION OF:-

- (i) **TREES; OR**
- (ii) **NATURAL FEATURES, PARTICULARLY WILDLIFE HABITATS SUCH AS WOODLANDS, HEDGEROWS, PONDS AND WATERCOURSES; OR**
- (iii) **MAN-MADE FEATURES OF HISTORICAL, ARCHAEOLOGICAL OR LANDSCAPE SIGNIFICANCE.**

16.47 Lack of information, or misleading or inaccurate details, may prejudice an application. Information should include:-

- (i) features on or adjacent to the site; and
- (ii) relevant assessments or evaluations - eg: impact studies and method statements.

The Council will have no alternative but to presume that failure or inability to provide such details indicates that landscape proposals are at least unlikely to be effective, and as such are unacceptable.

16.48 The policy applies to any trees affected by development, irrespective of whether they are situated on the application site. With trees shown to be retained, the Council will need to consider whether the proposal represents a threat from:-

- (a) direct or indirect damage which could affect the health or appearance of the trees; or
- (b) undue limitation on their future growth or potential for continued natural development, arising from insufficient regard to the future enjoyment or use of the site by owners and occupiers.

16.49 Those "retained" trees which die following development have normally suffered physical damage to their root systems. It is a mistake, therefore, to see the issue of tree protection as being primarily one concerned with the trunk or crown. The symptoms of root damage are seldom dramatic.

The injury may involve no direct damage but be caused by compaction of the soil due to construction activity or by operations which are apparently minor, such as excavation for footpaths, car parking areas, or trenches to carry services etc.

16.50 Fencing which protects the trunk alone is, therefore, insufficient. As a minimum, the main rooting area needs to be safeguarded. The fencing should enclose the complete crown spread on a normally shaped tree but may need to extend significantly further and this area must be left wholly undisturbed until completion of development. The remainder of the site should, therefore, be capable of accommodating all of the operations associated with the implementation of any consent for development, without the need to intrude into the protected areas. Rigorous application of this requirement may detract from the development potential of a site. All encroachment within the main rooting area carries a risk of serious damage to the tree, and the Council will take account of any such risk in determining an application.

16.51 It is short sighted to allow insufficient space for trees in relation to the development. If mature trees have to be cut back, or if younger trees have no room to grow, this existing or potential value will be forfeited. The relationship of trees to buildings must therefore take full account of the potential interception of sunlight, the shading of habitable rooms and gardens, the existing or potential height and spread of particular trees, and people's natural fears concerning their safety. The design of new development must normally be such that the retention or protection of trees is not achieved at the expense of the owners' or users' natural enjoyment or use of their property, including gardens and amenity areas.

16.52 The British Standard "Guide to Trees in Relation to Construction" BS5837(1991) deals with the entire process from initial strategy to post-development operations. It sets out to assist those concerned with trees and building to form balanced judgements by defining the elements of successful tree retention. It therefore makes it possible to weigh objectively the realism of proposals to retain trees. The Council will have regard to the advice and recommendations which it contains.

Landscaping - new planting

16.53 To be satisfactory most new developments require comprehensive landscaping - for which adequate space must be given in the layout. The basis for an acceptable scheme of landscaping is the use of adequate areas of planting in the right location. The landscaping must then be designed to

be appropriate and effective, in relation to the development itself and to its wider context. An adequate scheme will be one which is likely to succeed in achieving necessary screening, softening, the definition of space, or enclosure etc. The Council will give particular attention to the use of landscaping and tree planting to enhance the public areas of a development. An appropriate scheme will be suitable for its location in terms of style, form and content. It will take into account its setting and the intended use of the development. The Council will be satisfied that a scheme is effective when it considers that the problems inherent in the successful retention of trees or other landscape features, or the long-term establishment of new planting, have been recognised, addressed and resolved. The Council may therefore also require the submission of a landscape method statement.

16.54 A good landscaping scheme can only be based on a thorough survey and analysis of the features of the site, and an appreciation of its significance in its wider setting. To be complete, a scheme must also be supported by details of:

1. preparation of the planting environment;
2. planting procedures; and
3. aftercare and maintenance.

16.55 Although it may be possible to finalise details at a later date, the scheme of landscaping cannot therefore be an afterthought to be added on when everything else is agreed.

16.56 In the countryside it will normally be necessary to use predominantly indigenous species of trees, shrubs (or other plants). Attention must also be given to the scale, extent, form and arrangement of planting, and to the achievement of a suitable mix of species. There are also special rural landscape types (such as later Parkland) where appropriate planting will only be achieved by the use of non-native species and by forms of planting which are formal rather than informal.

16.57 In urban areas, greater benefits will normally be gained by using the wider range of non-native species which is available.

POLICY LL11

THE COUNCIL WILL:

- (i) **REFUSE PLANNING PERMISSION FOR ANY DEVELOPMENT WHICH MAKES INADEQUATE PROVISION FOR LANDSCAPING;**

- (ii) **NOT APPROVE LANDSCAPING SCHEMES WHICH:-**
- (a) **ARE INAPPROPRIATE BECAUSE THEY FAIL TO TAKE ACCOUNT OF THE SETTING OR INTENDED USE OF THE DEVELOPMENT; OR**
- (b) **ARE INEFFECTIVE BECAUSE THEY WOULD BE UNLIKELY TO RETAIN TREES AND OTHER EXISTING LANDSCAPE FEATURES OR TO ESTABLISH NEW LONG-TERM PLANTING.**

- (i) large-scale screening, in advance of a building which would otherwise be visually intrusive; or
- (ii) major planting along the highway structure of a major residential development.

16.61 The Council is particularly concerned that major projects should incorporate landscaping which is designed to enhance the overall character and appearance of the development and to create a pleasant environment. In a residential development this may, in particular, require the provision of street trees. The layout must then make adequate allowance for their future growth and take sufficient account of underground services in consultation with the appropriate undertaker.

16.58 Detailed landscaping schemes should normally be submitted concurrently with other details to allow the Council to evaluate them. It is recognised, however, that an outline scheme is sometimes sufficient to allow proposals to be fully evaluated. Such circumstances include:

1. the early stages of major applications;
2. many outline applications, although where the site contains trees, a full layout of the landscape scheme will normally be essential; and
3. certain special areas such as golf courses where a "landscape master-plan" is appropriate, giving clear guidelines on the aims and extent of landscaping, and vegetation types and management. Details may be finalised under a planning condition.

16.59 Where a planning permission requires the submission of a landscaping scheme, conditions intended to secure the long-term success of the scheme will be imposed. The Council may also in appropriate cases make planning permission conditional upon agreement to enter into a legal obligation (see Policy I1) designed to:

- (i) secure submission of and adherence to a landscape management plan; or
- (ii) provide a landscaped area to be transferred to the Council, with a commuted sum payment to cover future maintenance.

16.60 Where it is appropriate, some elements of the planting will be required to be undertaken in advance of development. Examples of such "structural" planting would be:-

POLICY LL12

THE COUNCIL WILL REQUIRE THE DESIGN OF NEW RESIDENTIAL DEVELOPMENT TO INCLUDE, IN APPROPRIATE CASES, PROVISION FOR THE PLANTING OF STREET TREES.

Landscaping associated with highways

16.62 Alterations, improvements and additions to the highway network proceed continuously. These works are primarily the responsibility of the County Council (as Highway Authority) with the Department of Environment, Transport and the Regions responsible for motorway schemes. Highway works, especially new roads or major improvements, can have a significant impact upon the appearance of the countryside or the character of the landscape. While public safety has to be the main priority, it is also important that the visual impact, and other landscape implications, of new highway projects are taken fully into account.

16.63 The building of the M11 and the M25 have had the most direct visual impact on the District's countryside in the last twenty years. Neither road has yet been satisfactorily integrated into the landscape. It is not just the sheer size and scale of the motorways which have caused the problems. It is also the cumulative effects of vehicle noise, of lighting and other structures associated with the roads, and of disproportionately large quantities of moving traffic. These factors may have been underestimated when the projects originally received public consideration. Unless these problems are now seriously addressed, the motorways will remain as significant disruptions in the countryside for the foreseeable future.

POLICY LL13

THE COUNCIL WILL OPPOSE ANY NEW, IMPROVED OR ALTERED HIGHWAY OR MOTORWAY PROPOSAL UNLESS THE ASSOCIATED LANDSCAPING SCHEME (INCLUDING EARTH-MOUNDING AND PLANTING) WILL:-

- (i) **USE APPROPRIATE SPECIES;**
- (ii) **MAKE EFFECTIVE VISUAL SCREENS;**
- (iii) **CREATE EFFECTIVE SOUND BARRIERS; AND**
- (iv) **ADEQUATELY REPLACE TREES, HEDGEROWS AND WOODLANDS WHICH WILL BE LOST TO THE DEVELOPMENT.**

THE COUNCIL WILL SEEK TO ENSURE THAT, WHERE FEASIBLE, APPROPRIATE LANDSCAPING WILL BE UNDERTAKEN PRIOR TO THE COMMENCEMENT OF CONSTRUCTION WORKS.

16.64 A programme of screen planting was implemented at the time of construction of the motorways, but this was restricted to land in the ownership of the then Department of Transport. It is now appropriate to monitor the progress and success of this planting, and to investigate whether more planting, perhaps on adjoining land in different ownerships, would help. This can only be a very long-term approach and it will at best reduce, but not eliminate, the undesired impacts of the motorways.

Derelict and degraded landscapes

16.65 Landscape decline affects urban and rural locations and is believed to be a particular issue on the edge of towns and some villages. Where the visual quality of the landscape is already poor, additional problems of litter, trespass, vandalism or unauthorised use can also occur. The complexity, scale and variety of the subject mean that further research is needed to identify possible solutions. Individual but extensive sites such as Bobbingworth Tip require specific attention.

16.66 Flexibility and sensitivity are needed if the problem is to be practically addressed. The Council is keen to promote partnership and co-operation with landowners and to attract grant aid from other public bodies and agencies.

16.67 Potential solutions are likely to include:-

- (i) the clearance of derelict buildings and other eyesores;
- (ii) tree and shrub planting, and habitat management;
- (iii) the promotion of informal recreation; and
- (iv) the identification of suitable new uses for land and buildings.

Environmental Implications

16.68 The successful implementation of the policies in this chapter will contribute to the achievement of the following Plan aims (see pages 24 and 25):-

- (xx) To ensure that any new development does not have an unacceptable impact both in environmental terms and in the provision of local facilities.
- (xxi) To protect and, where possible, enhance the environmental qualities of existing residential areas.
- (xxii) To secure a high standard of design in all new development.
- (xxiii) To protect and, where possible, enhance the character and environmental qualities of the countryside.
- (xxxii) To safeguard and, where possible, enhance the landscape.
- (xxxiii) To safeguard and, where possible, enhance the District's tree cover, flora and wildlife.
- (xxxviii) To enable the continued implementation of the Council's Environmental Charter.

16.69 The extent to which the policies have regard to, and are likely to affect, the environment is set out in Appendix 2. Their main impact in urban and rural areas will result from the protection and enhancement of the existing landscape and from ensuring appropriate landscaping of new development.

16.70 The policies are likely to have other benefits through maintaining, improving and creating wildlife habitats. The establishment of more greenery will also contribute to improved air quality.

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