

Great Yarmouth Third River Crossing Application for Development Consent Order

Document 6.2: Environmental Statement Volume II: Technical Appendix 10A: Legislation, Policy and Guidance

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (“APFP”)

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CONTENTS		PAGE No.
Tables		ii
1 Legislation, Policy and Guidance		1
2 References		8

Tables

Table 1.1: Summary of Legislation	1
Table 1.2: Summary of Policy	1
Table 1.3: Summary of Guidance.....	6

1 Legislation, Policy and Guidance

1.1.1 Tables 1.1 to 1.3 summarise the applicable legislation, policy and guidance to Chapter 10: Townscape.

Table 1.1: Summary of Legislation

Legislation	Summary	Chapter Reference
The Planning (Listed Buildings and Conservation Areas) Act 1990 (Ref 10A.1)	The Act imposes a duty on Local Planning Authorities to determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and to designate these areas as Conservation Areas.	Figure 10.1 identifies the Conservation Areas within the Study Area. These have been used to inform value within Townscape Character Areas (TCA's) where relevant see Section 10.5.

Table 1.2: Summary of Policy

Policy	Summary	Chapter Reference
National Policy Statement for National Networks (NPS NN) (Ref 10A.2)	<p>The following paragraphs are applicable to this assessment and are detailed below.</p> <p>Paragraph 5.144 states <i>“where the development is subject to EIA the applicant should undertake an assessment of any likely significant landscape and visual impacts”</i></p> <p>Paragraph 5.146 states <i>“The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and</i></p>	<p>The chapter conforms with paragraph 5.144, as it presents an assessment of any likely significant landscape and visual impacts during construction and operation. See Section 10.9.</p> <p>The chapter has considered impacts on views and visual amenity, including local amenity and tranquillity. See</p>

Policy	Summary	Chapter Reference
	<p><i>potential impacts on views and visual amenity. And “including on local amenity, tranquillity”</i></p> <p>Paragraph 5.149 <i>“Having regard to siting, operational and other relevant constraints, the aim should be to avoid or minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.”</i></p> <p>Also, with regards to developments that lie outside of national designation paragraph 5.154 states <i>“The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them.”</i></p> <p>Local designations outside national designations that indicate value as stated in paragraph 5.156 states <i>“Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation.”</i></p>	<p>Sections 10.4,10.5 and 10.9.</p> <p>The chapter conforms with paragraph 5.149. It considers the existing baseline conditions and nature of the likely effect of the Scheme. It has embedded mitigation within the Scheme to minimise the landscape and visual amenity effects. See Section 10.9 for a description of embedded mitigation.</p> <p>The assessment conforms with paragraph 5.154 as the assessment has considered the potential impacts on The Broads. Direct Landscape effects have been determined as insignificant (see insignificant effects) and effects on users enjoying The Broads have been included with the inclusion of two viewpoints within The Broads. See section 10.9.</p> <p>The assessment conforms with paragraph 5.156 by</p>

Policy	Summary	Chapter Reference
		the inclusion of local Conservation Areas and their contribution to overall value of a Townscape Character Area. See Figure 10.3 and Section 10.5.
Marine Policy Statement (MPS) (Ref 10A.3)	This sets out the definition for Seascape as <i>“landscapes with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical and archaeological links with each other”</i> .	Seascape has been scoped out and therefore not assessed further as it is considered unlikely to be subject to significant effects associated with views from and towards the coastline that forms the local seascape.
National Policy Statement for Ports (NPS for Ports) (Ref 10A.4)	Whilst the Scheme does not constitute Port development, the NPS for Ports does provide useful context for coastal projects in so far that in paragraph 5.11.1 it clarifies that references to landscape should be taken as <i>“covering seascape and townscape, where appropriate.”</i>	The chapter conforms with this policy by assessing the impacts of the Scheme on townscape. Seascape has been scoped out. (See Scope of Assessment in Section 10.4)
National Planning Policy Framework (NPPF) (Ref 10A.5)	The NPPF was published in March 2012 and updated in February 2019. Paragraph 124 of the NPPF states that: <i>“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key</i>	These principles have been considered in the design of the Scheme. See Chapter 4: Approach to EIA. The assessment considers local designations such as Conservation Areas

Policy	Summary	Chapter Reference
	<p><i>aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”</i></p> <p>Paragraph 127 of the NPPF specifies design objectives that development should achieve, and paragraph 170 of the same document states that the planning system “<i>should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.</i>”</p>	<p>which indicate value, and which informs the baseline. See Figure 10.3 and Section 10.5.</p>
<p>East Inshore and East Offshore Marine Plans (EIEOMP) (Ref 10A.6)</p>	<p>Marine Plans are implemented as a requirement of the Marine and Coastal Access Act 2009. The plans provide for the application or clarification of national planning policy in relation to coastal areas.</p> <p>Policy SOC3 sets out, in order of preference, how proposals that may affect terrestrial or marine character should avoid, reduce, mitigate or provide justification for potential impacts.</p>	<p>The chapter has assessed the impacts on the River Yare, as a tidal estuary river, however an assessment of effects on the seascape has been scoped out. (See Scope of Assessment in Section 10.4)</p>
<p>Great Yarmouth Local Plan: Core Strategy 2013-2030 (Ref. 10A.7)</p>	<p>CS9: Encouraging Well-designed, distinctive place – High quality distinctive places</p>	<p>These principles have been considered in the design of the Scheme. See</p>

Policy	Summary	Chapter Reference
	<p>CS10: Safeguarding local heritage assets – Safeguarding conservation areas.</p>	<p>Chapter 4: Approach to EIA. The assessment considers local designations such as Conservation Areas which indicate value. See Figure 10.2 and Section 10.5.</p>
<p>Great Yarmouth Draft Local Plan Part 2 (Ref 10A.14)</p>	<p>Policy E6-DP Trees and landscape Development states that <i>“a landscaping plan”</i> should be included and that where there is inter-visibility with <i>“the designated Broads area”</i> development <i>“will be carefully controlled to avoid adverse impacts on their landscapes and natural beauty, and the enjoyment of their special qualities, including views out from those areas.”</i></p> <p>Policy G3-DP Amenity Development states that <i>“proposals will be supported where they contribute positively to the general amenities and qualities of the locality.”</i> Planning permission will be granted only where development would not lead to an excessive or unreasonable impact on the amenities of the occupiers of existing and anticipated development in the locality, in terms including: loss of tranquillity from: intrusive lighting and visual movement.</p>	<p>The chapter conforms with policy E6-DP by referencing the Landscaping Plans (document reference 2.9). The assessment takes account of potential adverse impacts on the enjoyment of The Broads by including two representative viewpoints in the assessment that are located within The Broads. (See Figure 10.1 and Section 10.9)</p> <p>The chapter conforms with policy G3-DP by including public realm as part of the Scheme to contribute positively to the local amenity.</p> <p>The chapter assesses impacts on visual receptors, and considers amenity including loss of tranquillity and an artificial lighting</p>

Policy	Summary	Chapter Reference
		assessment has been undertaken (See Section 10.9)

Table 1.3: Summary of Guidance

Guidance	Summary	Chapter Reference
Guidelines for Landscape and Visual Impact Assessment (Ref 10A.8)	This sets out the assessment methodology for undertaking landscape and visual impact assessments. The GLVIA acknowledges the relationship between the perception of landscape and townscape and the similarities in the approach to be undertaken in the assessment process. It also identifies the perception of townscape, and the experience of viewers (referred to as receptors – defined as residents, people in their workplace, attending school, using recreational facilities and using the countryside, shoppers etc.) and development proposals.	The chapter conforms with this policy by assessing the impacts of the scheme on townscape (landscape and seascape). See Sections 10.1 and 10.9
Highways England’s interim advice note (IAN 135/10 (Ref 10A.9)	As the Scheme comprises a bridge structure and supporting link roads reference has been made to this guidance. Note that this supersedes the relevant section of the Design Manual for Roads and Bridges.	The chapter conforms with this policy.
Landscape Institute Advice Note 01/11 (Ref 10A.10)	This sets out the standards for viewpoint photography for projects within England to be included within an assessment.	The chapter conforms to this guidance by taking photographs to the required standard. See Appendix 10B.
Landscape Institute Technical Guidance Note 02/17 (Ref 10A.11)	This is known as the proportionality guidance, which sets out the required levels of photography to be included within an assessment.	Photomontages have been produced where there are significant visual effects and are presented in

Guidance	Summary	Chapter Reference
		document reference 6.12. See Appendix 10B for approach taken.
Natural England's An Approach to Landscape Character Assessment (Ref 10A.12)	This sets out an approach to landscape character assessment.	The chapter conforms to this guidance by the development of townscape character areas. (See Figure 10.3 and Section 10.5).
Townscape Character Assessment (Technical Information Note 05/2017) (TIN-05-2017) (Ref 10.15)	Provides guidance on undertaking townscape assessment in line with the GLVIA (Ref 10.5).	The methodology has considered the technical note and is presented within Section 10.4.

2 References

Ref 10A.1: Planning (Listed Buildings and Conservation Areas) 1990, (online) (Accessed April 2019).

Ref 10A.2: Department for Transport (2014). National Policy Statement for National Networks. (online) (Accessed April 2019).

Ref 10A.3: HM Government (2011). Marine Policy Statement. (online) (Accessed April 2019).

Ref 10A.4: Department for Transport (2014). National Policy Statement for Ports. (online) (Accessed April 2019).

Ref 10A.5 Ministry of Housing, Communities & Local Government (2019). National Planning Policy Framework. (online) (Accessed April 2019).

Ref 10A.6 Marine Management Organisation (2012). Seascape character assessment East Inshore and East Offshore marine plan areas (online) (Accessed April 2019).

Ref 10A.7: Great Yarmouth Borough Council (2015). Core Strategy 2013 – 2030 (online) (Accessed April 2019).

Ref 10A.8: Landscape Institute and Institute of Environmental Management and Assessment (2013). Guidelines for Landscape and Visual Impact Assessment 3rd Edition, London: Routledge.

Ref 10A.9: Highways Agency (2010). Interim Advice Note 135/10 Landscape and Visual Effects Assessment. (online) (Accessed April 2019).

Ref 10A.10: Landscape Institute (2017). Photography and Photomontage Advice Note 01/2011. (online) (Accessed April 2019).

Ref 10A.11: Landscape Institute (2017). Townscape Character Assessment Technical Information Note 02/2017. (online) (Accessed April 2019).

Ref 10A.12: Natural England (2018). An Approach to Landscape Character Assessment (second version). (online) (Accessed April 2019).

Ref 10A.13 Landscape Institute (2018) Technical Guidance Note 05/17 Townscape Character Assessment. (online) (Accessed February 2019).

Ref 10A.14 Great Yarmouth Borough Council (2018). Draft Local Plan Part 2 (online) (Accessed April 2019).