

Appendix 1
Herefordshire Unitary Plan
Natural and Historic Heritage

9 NATURAL AND HISTORIC HERITAGE

9.1 Introduction

- 9.1.1 This chapter deals with those parts of the physical elements that make up the natural and physical heritage of the County. Their protection and enhancement is afforded a high priority.
- 9.1.2 The UDP has a key role to play in achieving a successful integration between conservation and development. This is essential if a sense of local distinctiveness is to be maintained whilst contributing to the wider context of sustainable development and global responsibilities. To assist this aim, the Plan adopts a new approach to assessment of landscape character and the use of environmental appraisals and audits wherever necessary. These will be particularly helpful in enabling sustainable development and rural regeneration.

9.2 Aims

- 9.2.1 In overall terms, the policies in this chapter aim to:

- conserve and enhance the natural and historic heritage of the County, whilst promoting change that contributes positively to people's quality of life
- avoid, wherever possible, adverse environmental impact of development in respect of landscape character, sites and species of national and international nature conservation importance, biodiversity and features of geological interest, historic buildings and areas, and archaeology
- minimise any unavoidable adverse impacts on these features by means of measures to mitigate or compensate for any loss or damage, including restoration or enhancement of features, provision of replacement features and future management.

The sub-sections on Landscape, Biodiversity, Historic Buildings and Areas, and Archaeology each contain their own specific objectives supporting these general aims.

- 9.2.2 In Hereford and the market towns, this aim contributes to maintaining and creating local environments that are attractive to live and work in. Within rural parishes, the aim helps to maintain a diverse, thriving, attractive and environmentally healthy countryside with vibrant communities. Each section of this chapter sets out its own objectives to achieve this aim.

9.3 Strategy and general policy

- 9.3.1 Distinctive elements within the countryside, rural settlements and the City and market towns are special to Herefordshire and play a key role in defining a sense of place. Collectively, these assets comprising the natural and historic heritage contribute greatly to social life and economic well being. They are much valued by the local people and enjoyed by the visitors they attract. In many instances they have developed over the centuries and are irreplaceable and must be conserved if sustainable development is to be achieved.
- 9.3.2 Yet at the same time it is clear from the assessment in chapter 2 of the Plan that Herefordshire's environment is under pressure. Through the Herefordshire Partnership an Environmental Strategy has been prepared identifying a range of critical environmental issues and a framework to direct co-ordinated action by partners. The State of the Environment Report contains a number of environmental indicators that will be monitored in order to show whether progress is being made in addressing some of these issues. The strategy outlined in this chapter seeks to reflect those concerns where they are material to the use of land and will have a major impact on a number of the chosen indicators.
- 9.3.3 Guiding principle P7 sets out the commitment to safeguarding and perpetuating environmental assets. Special attention is given to irreplaceable resources and the distinctive character of local environments. Guiding principles P5, P6 and P10 are also relevant. The Plan's general policy takes these principles forward by identifying the ways in which the County's natural and

historic resources will be promoted. The policy forms the foundation for the more detailed policies contained in this chapter, which has been structured into four sections to address comprehensively those land use and development issues affecting landscape, biodiversity, historic buildings and areas, and archaeology.

Part I policy

S7 Natural and historic heritage

The following assets comprising the County's historic and natural heritage will be protected, restored or enhanced:

- 1. Areas of Outstanding Natural Beauty;**
- 2. sites and features of international, national and local nature conservation interest, species of biodiversity interest and areas of geodiversity;**
- 3. the historic heritage including archaeology, buildings and areas of historic or architectural importance, and natural landscapes; and**
- 4. landscape features that contribute positively to local distinctiveness and quality of the local environment.**

Guiding principles P5, P6, P7 and P10

9.4 Landscape

Introduction

- 9.4.1 The issues addressed within this section concern landscape protection and enhancement in the face of pressures on landscape character, particularly those arising as a consequence of changes facing agriculture. The section considers the findings of a comprehensive Landscape Character Assessment along with the application of national policy in two Areas of Outstanding Natural Beauty in the light of guidance in PPS7. In line with other chapters it confirms the Council's ambition to regenerate rural areas and encourage sustainable development in living communities, whilst at the same time recognising the importance of tranquillity and the need to protect and enrich historic landscape character and identity.
- 9.4.2 Given inevitable development pressures, particular attention is given to the landscape setting of Hereford, the market towns and rural settlements and to the role played by green corridors into development areas. The section also acknowledges the significant attention in recent years given to historic landscapes and parks and gardens, registered or otherwise, and considers the considerable contribution made to landscape character by woodlands, trees, traditional orchards and hedgerow patterns. Finally, the role that new development can play in landscape enhancement and mitigation through the appropriate use of landscaping schemes is considered.
- 9.4.3 Plan policy on landscape character is supported by more detailed supplementary planning guidance published separately.

Objectives of landscape policies

- 9.4.4 In order to meet the Plan's guiding principles for a sustainable environment policies should:
- protect the countryside from unsympathetic and unsustainable development
 - safeguard landscape character and particular landscapes
 - enhance damaged and deteriorating landscapes, and secure appropriate beneficial enhancement and management from new development and land use change

- protect important settings and views into and from urban and rural settlements
- recognise, protect and encourage the appropriate restoration of historic parks, gardens and other historic designed landscapes
- protect and enhance landscape features such as woodlands, trees, hedgerows, ditches and ponds
- secure appropriate landscaping schemes as part of proposals and ensure their future maintenance.

Areas of Outstanding Natural Beauty

- 9.4.5 Herefordshire boasts two landscape areas of national significance, the Wye Valley and Malvern Hills Areas of Outstanding Natural Beauty (AONB). Both are situated in the eastern parts of the County and both are supported by management plans, which essentially seek to conserve landscape character through various forms of land management. The primary objective of designation is conservation of the natural beauty of the landscape. This Plan, through its policies, looks to complement the management plans; reconcile development needs and visitor pressure with the conservation of the AONB landscape and natural resources, and restore vulnerable and degraded landscapes when opportunities arise.
- 9.4.6 The Malvern Hills AONB is dominated by the narrow, elevated ridge of the Malvern Hills which separates Herefordshire and Worcestershire and extends southwards into Gloucestershire. The special character of the Wye Valley AONB is created by the River Wye which meanders through the broad meadows and scattered woods of the Herefordshire Plains. It contains some of the most dramatic limestone scenery in the County, including the renowned Symonds Yat where deeply inclined meanders have cut into the plateau to form an ancient wooded gorge. The Wye Valley AONB includes part of the Wye Valley Woodlands and Rivers Wye and Lugg Special Areas of Conservation where a specific policy approach applies in terms of the protection of biodiversity interest (see Biodiversity Section 9.5).
- 9.4.7 Local authorities are now required to prepare management plans for all AONBs. These will be material considerations when determining planning applications.

LA1 Areas of Outstanding Natural Beauty

Within the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty, priority will be given to the protection and enhancement of the natural beauty and amenity of the area in the national interest and in accordance with the relevant management plans.

Development will only be permitted where it is small scale, does not adversely affect the intrinsic natural beauty of the landscape and is necessary to facilitate the economic and social well-being of the designated areas and their communities or can enhance the quality of the landscape or biodiversity.

Exceptions to this policy will only be permitted when all of the following have been demonstrated:

- 1. the development is of greater national interest than the purpose of the AONB;**
- 2. there is unlikely to be any adverse impact upon the local economy ;**
- 3. no alternative site is available, including outside of the AONB; and**
- 4. any detrimental effect upon the landscape, biodiversity and historic assets can be mitigated adequately and, where appropriate, compensatory measures provided.**

Landscape character

- 9.4.8 Herefordshire is considered to be the Midlands' most rural County and boasts a quality of landscape that is nationally acclaimed. Both visitor and resident alike value and cherish the variety, tranquillity and scenic beauty of the County's countryside. From the breathtaking views of the Black Mountain foothills and the Wye Valley Gorge to the rolling slopes of the Golden and Teme Valleys and the verdant low lying river meadows, Herefordshire encompasses an exceptional diversity of landscape beauty.
- 9.4.9 The majority of Herefordshire is not protected by national designation. Past policy has sought to give added protection through local designation to those areas considered to be the most attractive. More recently, Government guidance has stimulated a fundamental reassessment of local countryside designation. The UDP has been informed by a systematic assessment of landscape character rather than reliance on local designations. The Countywide Landscape Character Assessment undertaken by Herefordshire Council will accordingly be instrumental in the determination of development proposals. It is stressed that the Assessment essentially covers the wider countryside outside the recognised settlements. Inside each settlement, development proposals will need to be assessed in the context of that settlement's individual character and should seek to conform to the inherent settlement pattern. Other forms of assessment, such as village design statements and parish plans have a role to play in identifying internal settlement character.
- 9.4.10 The assessment identifies 22 distinctive landscape types within the County. Each is described in detail with additional information relating to design guidelines and management issues. The key attributes of each landscape type determine its distinctiveness both locally and regionally. Plan policy LA2, set out below, seeks to retain and enhance landscape character and to minimise the impact of landscape change, particularly that arising from new development. The intention is not to prevent necessary development, but to ensure that development respects landscape character. This will be achieved either by resisting inappropriate new development that would cause unacceptable adverse change to landscape character, or by accommodating it only if it can be demonstrated that landscape character can be protected adequately or that the proposed development can satisfactorily mitigate the impacts or compensate for them.
- 9.4.11 Summary details of the Landscape Character Assessment have been published separately as supplementary planning guidance (SPG) to complement and provide further detail for policy LA2. The guidance will help to guide and inform proposals for development. The assessment itself provides a detailed account of the natural, cultural and visual dimensions of landscape, classifying, describing and evaluating its character as well as promoting opportunities for conservation, restoration, enhancement and mitigation.
- 9.4.12 Policy LA2 refers to both key attributes and features. The indicators used to define key attributes are:
- topography
 - geology
 - soil type
 - land use
 - settlement pattern
 - tree cover character
 - tree cover pattern
 - spatial character
 - indicative ground vegetation
 - field boundaries
 - enclosure pattern
 - special characteristic features

Landscape features are acknowledged but not recorded in detail in the descriptions of specific landscape types within the assessment and the SPG. However they are considered to include:

- skylines and hill features including prominent views of such features
- mixed or broad-leaved woodlands with particular emphasis on ancient and ancient semi-natural woodlands
- areas of established hedgerow and tree patterns, including ornamental trees and orchards
- linear features of visual, archaeological, historic or landscape importance, including disused and/or dismantled railways/tramways, canals, water channels, hollow ways, green lanes and other disused former thoroughfares
- water features, especially river valleys and associated flood plains and including ponds, pools, dams, sluices, weirs, fords and water wheels
- sites of geological and geomorphological importance
- setting of settlements, including their individual form and road pattern
- the presence and pattern of historic landscapes including parks and gardens, commons, unimproved grassland and patterns of ridge and furrow
- natural drainage patterns.

- 9.4.13 Development proposals throughout the County will need to clearly demonstrate that their design and layout incorporate opportunities to conserve, restore and enhance distinctive landscape character and, where necessary and appropriate, any prominent landscape features. Analysis of condition and site sensitivity held within the Landscape Character Assessment will be utilised to review these proposals. Where specific sites and landscapes will tolerate change and where development is acceptable against other Plan policies, proposals must specify the enhancement and/or mitigation measures required for them to be successfully accommodated within the landscape. Proposals must also incorporate any necessary management and maintenance arrangements to ensure environmental benefits are maintained over time.

Historic landscapes

- 9.4.14 The Government advises that historic landscapes should be safeguarded from development that would destroy them, or significantly adversely affect their character. In conjunction with English Heritage, the Council has also completed a Historic Landscape Characterisation of Herefordshire landscape which provides a basis for the definition of historic landscape protection. The Historic Landscape Characterisation study is complementary to the Landscape Character Assessment. The two studies have differing perspectives – the latter being primarily concerned with visual qualities, whereas the former is concerned with the underlying historical processes.
- 9.4.15 Through the work of the Malvern Hills and Wye Valley AONB Joint Advisory Committees, the Council will seek to establish good practice in management work, aimed at the restoration and care of historic landscapes. Additionally, the Council will actively support the work of DEFRA and the work of the Hereford and Worcester Gardens Trust in this regard.
- 9.4.16 The Council wishes to work with the owners of designed historic landscapes to establish management plans, including the replanting or restoration of lost features, the ongoing care of existing woods, trees, hedges and designed planting, repair of walls and other built features and the creation, where appropriate, of new areas of landscaping. Where they have biodiversity interest and/or historic value, old and over mature trees and dead wood should be retained wherever possible.

LA2 Landscape character and areas least resilient to change

Proposals for new development that would adversely affect either the overall character of the landscape, as defined by the Landscape Character Assessment and the Historic Landscape Characterisation or its key attributes or features, will not be permitted.

Proposals should demonstrate that landscape character has influenced their design, scale, nature and site selection. Where appropriate, developers will be encouraged to restore degraded or despoiled landscapes to their inherent character.

Setting of settlements

- 9.4.17 There will be an inevitable pressure and requirement for new development to be located on the edge of Hereford, likewise the market towns and some rural settlements. Where such developments are either allocations of this Plan or are deemed to comply with Plan policies following planning applications, particular care will be required to assess landscape setting. Aided by the Council's aforementioned landscape assessments, new development proposals will be required to have minimal effect upon landscape setting and wherever possible will be required to restore landscape character. Certain important landscape features will need protection whilst important vistas into existing development are to be respected and conserved. Opportunities to create new open areas, urban parks, green wedges or tree lines particularly along main radial routes in conjunction with new development should be sought where such provision will enhance and complement landscape character and townscape, create access for recreation or benefit local amenity.

LA3 Setting of settlements

Development outside the built up areas of Hereford, the market towns and rural settlements, which is acceptable in terms of other Plan policies, will only be permitted where it would not have an adverse effect upon the landscape setting of the settlement concerned.

Important visual approaches into settlements, views of key buildings, open areas into development, green corridors, ridgelines and surrounding valued open countryside will be particularly protected and, where necessary, enhanced.

In appropriate new developments around existing settlements the creation of open space, urban parks, green wedges, and tree lines will be promoted where they complement and enhance landscape character and townscape.

Protection of historic parks and gardens

- 9.4.18 Local authorities are required to protect registered parks and gardens in the context of their historic interest and the contribution they make to the richness and quality of the landscape. These creative landscape features also support large, varied and long-standing habitats for much flora and fauna. Herefordshire has a number of such parks and gardens that have been recognised by English Heritage as being of national importance and are included on their Register of Parks and Gardens of special historic interest in England. They are listed within Appendix A and are identified on the proposals map. Many of the parks and gardens were created during the 18th and 19th Centuries to provide picturesque settings for large houses with characteristic groups of trees. Others such as Moccas, Brampton Bryan and Eastnor Park are remnants of medieval and earlier deer parks. Many of these parks feature boundary walls, ha-has or park paling and often include unique components such as gazebos and follies.
- 9.4.19 Many historic parks and gardens benefit from their setting, which contributes to the character and 'sense of place' of the designed landscape. Similarly, the designed visual envelope is pertinent to some parks and gardens where vistas and views out of the property to the 'borrowed' landscape were a fundamental element within the design.

- 9.4.20 Herefordshire also has a wealth of historic parks and gardens that are of local importance but are unregistered. Herefordshire Council and the Hereford and Worcester Gardens Trust have jointly undertaken a survey of the unregistered historic parks and gardens in the County. Those that are considered to be of local importance and substantially intact are also identified in Appendix A. Wherever possible, the designed visual envelope of both registered and unregistered properties has been identified and mapped separate to this Plan. Exclusion from this local list does not imply that a site is not of historic interest and it is accepted that further sites of local interest may be added in the future and consequently offered the protection of the following policy.

LA4 Protection of historic parks and gardens

Development which would destroy, damage or otherwise adversely affect the historic structure, character, appearance, features or setting (including the designed visual envelope) of a registered park or garden will not be permitted.

Development proposals that would affect an historic park or garden should be accompanied by an historic landscape appraisal report and a restoration scheme, which may include or comprise a management plan, commensurate to the scale of the proposal that affects them.

Unregistered parks and gardens recognised and identified by the Council as currently of local importance will be afforded similar protection.

Protection of trees, woodlands and hedgerows

- 9.4.21 Trees, woodlands and hedgerows are integral features within the Herefordshire countryside. Within and on the fringe of settlements, particularly in urban areas, trees and hedgerows are valued for visual amenity, historical heritage and biodiversity. Elsewhere forestry and woodlands along with associated commercial activities benefit the local economy, and are resources for tourism and leisure. The Malvern Hills and the Wye Valley AONBs are subject to Woodland Management Guidelines seeking to preserve the woodlands in these areas. The Forestry Commission has led the production of the Government's England Forestry Strategy, which sets out priorities and programmes that will apply over the Plan period. These include increasing the opportunities to visit woodlands and seek replanting where woodland is lost to development. The Commission is also a consultee upon planning applications affecting ancient woodlands. Significant areas of woodland in the county not only host a rich biodiversity but are also irreplaceable historic and landscape features.
- 9.4.22 The Council supports the Forestry Commission in their roles of regulating tree felling and operating the Woodland Grant Scheme for woodland creation and management, particularly where they strengthen the original woodland and retain landscape character. When responding to notification or consultation from the Forestry Commission upon forestry proposals involving felling, replanting or afforestation the Council encourage, through negotiation, proposals which:
- conserve and enhance ancient and ancient semi-natural woodland
 - enhance the appearance of the landscape through careful and sensitive location and design
 - are sensitive to and in accordance with the key characteristics described in the Landscape Character Assessment
 - ensure planting of the appropriate choice of species, to the standards set out in the UK Forestry Standard
 - maintain and where suitable extend and enhance public access
 - provide appropriate tree and woodland planting around and within communities, on agricultural and brownfield land, to link and extend semi-natural woodland (where appropriate to the inherent landscape character) and to create a range of public benefits

- encourage the restoration of Ancient Woodlands sites where plantations have occurred (Plantation on Ancient Woodland Site (PAWS)).

9.4.23 The Council will use its powers to place Tree Preservation Orders on valued trees threatened by development or otherwise under threat where they have amenity value. In addition, important trees, hedgerows and other landscape features may be identified through audits and appraisals such as village design statements and conservation area appraisals. Significant regard will be paid to the protection and enhancement of these features. Conditions to any planning permissions will require safeguarding species, replacements where necessary, new planting and arrangements for on-going maintenance to ensure that landscape character is preserved and enhanced.

LA5 Protection of trees, woodlands and hedgerows

The enhancement and protection of individual trees, tree groups, woodlands and hedgerows will be secured by:

1. **placing Tree Preservation Orders where necessary on trees, groups of trees and woodlands of amenity value, and making use of hedgerow protection legislation;**
2. **resisting proposals that would cause loss or damage to trees (including veteran trees), hedgerows, mature traditional orchards or woodlands which are worthy of retention. In particular, proposals affecting protected trees and Ancient and Semi-Natural Woodlands will be subject to rigorous examination. Where the felling of protected trees is accepted replacement planting will be sought;**
3. **requiring development proposals to include an acceptable landscaping scheme submitted in accordance with policy LA6, the retention of those trees and hedgerows considered important to local amenity, together with measures to ensure their protection during development, and the replacement of trees and woodland lost to development with an equivalent area of planting; and**
4. **where appropriate taking into account as a material consideration the Woodland Management Guidelines produced for the Malvern Hills and Wye Valley AONBs and the Government's England Forestry Strategy together with Forestry Commission guidance on Ancient and Semi-Natural Woodlands.**

Management agreements to enable new or increased public access to woodlands may be entered into, particularly where there is a shortage of such opportunities within the particular locality.

Landscaping schemes

9.4.24 Landscaping schemes have an important role to play in ensuring that new development successfully integrates with its surroundings. Landscaping schemes should be an integral part of the overall proposal and reflect the character of the location. Landscaping includes hard surfacing, street furniture and means of enclosure as well as planted areas. It can help soften, screen and assimilate new development so enhancing the local environment. The retention and integration of existing natural features can greatly enhance and complement new development and soften its impact. Indigenous trees and plant species of local provenance, and hard surfaces that are in keeping with the surrounding areas should be used. Plant species will need to be carefully chosen with an understanding of their characteristics, ultimate height, spread, vulnerabilities and maintenance requirements. Finally developers will be expected to ensure protection of notable features during development, implement new planting as soon as practicable and to maintain and where necessary replace both existing landscape features and any new planting. Conditions may be imposed and agreements entered into where necessary to ensure the implementation of landscape works and maintenance during the establishment period, including the provision for replacement of any features that may be lost.

LA6 Landscaping schemes

Landscaping schemes will be required to be submitted as an integral part of any development proposals that will affect the visual amenity or character of the location. Landscaping schemes will be required to:

- 1. assess the existing character and features of the particular site and its wider landscape character in accordance with policy LA2, indicating how these have contributed to the overall design approach and which features, including trees, will be removed;**
- 2. indicate and make arrangements to protect and retain existing trees and hedgerows, in accordance with policy LA5 and also other landscape features worthy of retention; and**
- 3. include new landscape works to ensure development integrates appropriately into its surroundings in terms of scale, enhances any existing character and features and especially takes the opportunity to remove eyesores and improve disfigured or despoiled land.**

Landscaping works should be undertaken during development or as soon as practicable thereafter. In the case of major proposals, consideration should be given to advanced landscaping works being carried out before building or enabling works are commenced.

9.5 Biodiversity

Introduction

- 9.5.1 Biodiversity, the sum total of life's variety on earth, encompasses all living things from the smallest micro-organism to the largest mammal. Biodiversity conservation on a European scale is promoted by the European Habitats Directive (1992). This was translated into UK law in 1994 by the Habitats Regulations. The Directive states that action must be taken to stem the loss of threatened habitats and species and requires Member States to take measures to maintain or restore natural habitats and species at a favourable conservation status. This is one of the cornerstones of sustainable development.
- 9.5.2 This Plan includes policies which protect designated sites and contribute to the conservation of biodiversity. It is also concerned with other land of conservation value and the provision of new habitats.
- 9.5.3 In 1992, Britain signed the Convention on Biological Diversity at the Earth Summit in Rio de Janeiro and made a commitment to preparing plans to implement biodiversity conservation. The Government published "Biodiversity: the UK Action Plan" in 1994. This identified a number of priority habitats and species which are under threat at a national level. It also encouraged the preparation of local Biodiversity Action Plans (BAPs) through partnership working between local authorities and nature conservation organisations. The Herefordshire Biodiversity Action Plan was published by the Herefordshire Biodiversity Partnership in 2000. It takes account of national priorities and local distinctiveness and identifies priority species and habitats for Herefordshire. It also encourages habitat restoration and enhancement. The UDP offers an opportunity to contribute to these national and local priorities through the control and sympathetic design of new development.
- 9.5.4 Herefordshire is a host to many important habitats and species. A County habitat survey commenced in 1999 to assess this resource and will continue to be updated throughout the life of this Plan. The importance of the County's nature conservation and geological resources is reflected in the number and variety of international, national and local designated sites.