

# PLANNING CAMPAIGN BRIEFING 10 WIDER COUNTRYSIDE AND PROTECTED AREAS (July 2014)

## 1. SUMMARY

1.1 The NPPF recognises 'the intrinsic character and beauty of the countryside'. This will not end development threats, but it should help ensure that building on green fields is not an option of first resort. The inclusion of this wording was a key campaigning victory for CPRE.

1.2 There are some significant changes in relation to protected areas (National Parks and Areas of Outstanding Natural Beauty (AONBs)), and also to the wider countryside outside these protected areas and the Green Belt. The briefing highlights the potential of existing and new local designations.

## 2. TOP TIPS

- Encourage and support use of Landscape Character Assessments and refer to the National Character Area profiles in the development of local policies. Encourage your local authority to retain existing local landscape designations through their local plans.
- Use local plan consultation and public examination to ensure that local authorities uphold their statutory duty to protect nationally designated countryside in local policies.

## 3. CHANGES AT A GLANCE

### PLANNING CAMPAIGN BRIEFING SERIES:

1. Development Plans
2. Green Belts
3. Housing
4. Energy Infrastructure
5. Transport
6. Heritage and Design
7. Light Pollution
8. Rural Economy
9. Economic Development and Town Centres
10. Wider Countryside and Protected Areas
11. Tranquillity

We welcome case studies and feedback to inform future versions of these briefings.

(E mail to [info@cpre.org.uk](mailto:info@cpre.org.uk))

| PRE REFORM (PPS4/7 AND OTHER RELATED POLICY)  | LOCALISM ACT / NPPF / PLANNING PRACTICE GUIDANCE (PPG)   |
|---|--|
| PPS4/7 stated that the countryside should be protected for the sake of its intrinsic character and beauty, diversity of its landscapes, heritage and wildlife and wealth of natural resources.            | A 'core planning principle' recognises the intrinsic character and beauty of the countryside. Planning should also "identify and protect areas of tranquillity".   |
| PPS7 preferred local protection via criteria based policies, with local designations allowed in exceptional circumstances.  | No mention of existing local landscape designations but promotes a new 'Local Green Space' (LGS) designation.  |
| National Parks and AONBs receive special protection from development.   | Tough tests for development in nationally designated areas remain.   |
| The UK became a signatory to the European Landscape Convention in 2006 - this recognises local landscape character and undesignated areas.  | The NPPF encourages use of Landscape Character Assessment in local plans.  |
| Town and Village Greens (TVG): The Commons Registration Act 1965 established the system and the majority of TVGs were registered in the late 1960s. The system was updated in 2006 under the Commons Act. | The Growth and Infrastructure Act 2013 has made a number of significant changes to the law on registering new town and village greens under the Commons Act 2006. LGS designation may be a possible alternative where TVG designation is unsuitable. |

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## 4. BACKGROUND

4.1 The purpose of this briefing is to assist understanding of reforms to the town and country planning system that have taken place since 2011. It outlines the main changes and the issues to be aware of (Analysis) and advises on specific campaign topics (Campaign Advice).

4.2 CPRE is keen to ensure that our precious countryside continues to be protected and valued, and to highlight significant threats to it where they arise. We will collect evidence of outcomes (good and bad), in the form of cases that illustrate the issues we highlight. We welcome assistance with this, as well as feedback on the briefing.

## 5. WHAT ISSUES ARE YOU LIKELY TO FACE?

5.1 What the NPPF may mean in practice: In the NPPF “core land-use planning principles [that] should underpin both plan-making and decision-taking” include “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”. The [European Landscape Convention](#) also encourages the protection of the valued features of all landscapes - not just those in nationally protected areas - including protection through the planning system. This means that all countryside, not just designated areas, should receive protection from inappropriate development. However, significant pressures to permit new development are undermining this protection. There are a number of tools that can be used to defend undesignated countryside from such development, including developing an understanding of landscape character. The National Planning Practice Guidance (NPPG) states *‘One of the core principles in the NPPF is that planning should recognise the intrinsic character and beauty of the countryside. This includes designated landscapes but also the wider countryside. The guidance supports the policy on how landscape should be taken into account in plan-making and decision-taking on planning applications.’*

### Undesignated countryside

5.1.1 Research commissioned by CPRE in late 2011 found that 55% of English countryside is unprotected by a nationally recognised designation. Full details on this analysis and its implications for protecting the countryside can be found in the *Protecting the wider countryside*<sup>1</sup> report. Primarily, the report highlighted the importance of non-nationally recognised land designations which operate through the planning system in protecting ‘ordinary’ countryside from inappropriate development. The NPPF does not reintroduce endorsement for local landscape designations as existed under PPG7, but it does include recognition of the ‘intrinsic value of the countryside’ as one of its core planning principles.

5.1.2 For the first time in national policy, support is given for using Landscape Character Assessment (LCA) as part of the Local Plan evidence base, and for identifying and protecting areas for their tranquillity. Paragraph 170 of the NPPF states, in relation to historic environment, ‘where appropriate, landscape character assessments (LCAs) should also be

<sup>1</sup> CPRE *Protecting the wider countryside* (2011) <http://www.cpre.org.uk/resources/housing-and-planning/planning/item/2728-protecting-the-wider-countryside>



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prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.’ Local planning authorities (unitary, district or county) will often have undertaken LCAs covering their area. They provide maps, descriptions and assessments of more detailed landscape types and areas that fit within the broader National Character Areas produced by Natural England in consultation with organisations in each area (find out more about National Character Areas in paragraph 6.1.4). In addition to the landscape character assessments themselves, further work may have been carried out based on them, for example to assess capacity for or sensitivity to potential development in general or specific types of development, e.g. wind turbines, as [Lancashire County Council](#) has done.

5.1.3 Landscape Character Assessment could also be a useful part of the evidence base for Neighbourhood Planning. CPRE’s guide to this, [Unlocking the landscape](#), is available in hard copy or online and provides comprehensive advice on how to get your community involved in preparing a Community Landscape Character Statement. Natural England also provides [guidance](#) on undertaking Landscape Character Assessments.

5.1.4 LCAs could be helpful for protecting particularly special parts of undesignated countryside. Such evidence could also help the case for policies that require any new development to complement its surrounding countryside as far as possible. These policies can address issues such as building materials and master-planning, so that development fits within the landscape and has minimal impact.

5.1.5 The NPPF is silent on local landscape designations, which renders their status under the new arrangements uncertain. Local designations cover large areas of otherwise unprotected countryside. A key test of the status of local landscape designations adopted prior to 2004 will therefore be whether they are upheld in local planning policies and decisions.

5.1.6 Given the NPPF’s omission of mention of existing local landscape designations, local authorities might consider that they should no longer designate areas unless they do so using the new Local Green Space designation. Paragraph 77 of the NPPF sets out a list of restrictions for use of the LGS designation, and the new designation, if established, may not be comparable to the previous form of local designation used in the area, e.g. Area of Great Landscape Value.

5.1.7 Generally this confuses the position on local designation, but there is no reason why a local plan cannot propose continuation or creation of well justified designations. It may also be possible, supported by the European Landscape Convention, to have a general protection policy for all landscape of equal strength to old local landscape designations, which only applied to particular areas.

### Local Green Space designation

5.1.8 The new ‘Local Green Space’ (LGS) designation aims to enable local communities, through local and neighbourhood plans, to be able to identify for special protection areas of particular importance to them. Paragraph 76 of the NPPF states that ‘By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as LGS should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. LGS should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.’ However, paragraph 77 opens ‘The



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Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used (i) where the green space is in close proximity to the community it serves ii) where the green area is demonstrably special to a local community and holds a particular local significance, e.g. because of its beauty, history, recreational value, tranquillity or richness of its wildlife and iii) where the green area concerned is local in character and not an extensive tract of land.'

5.1.9 When the new LGS designation was first mooted it appeared the intention was to produce comprehensive guidance for local authorities on how to use it. However the current position is that in the spirit of localism local councils should decide on their own criteria for LGS. The PPG section on the Local Green Space designation provides some guidance - Leicestershire County Council is an example of a local authority that has initiated work on detailing LGS policy, followed by Central Bedfordshire Council. Find out more about their work in Annex A.

5.1.10 Existing local landscape designations are not mentioned in the NPPF, although it is clear that the new LGS designation is not intended to replace these. In response to a parliamentary question in March 2012, Bob Neill MP (then Parliamentary Under Secretary of State at the DCLG) stated 'Local planning policy designations in a local plan will continue to be a material consideration, and our proposed reforms will mean that local plans have a more important role in the planning process.' However, the lack of acknowledgement in the NPPF, and the associated guidance, of existing local designations means that local authorities may interpret this as an indication that they can only designate sites using the Local Green Space designation in the future. Examples of existing local landscape designations are 'Areas of Great Landscape Value', 'Areas of Attractive Landscape' and 'Special Landscape Areas'.

5.1.11 There are also a number of other policies which in some cases serve to protect areas of the countryside without a national landscape designation. Some are strictly biodiversity related, and are collectively known as either Sites of Special Scientific Interest (SSSIs) or Local Wildlife Site policies (there is some overlap between the two in terms of the sites they cover). There are also heritage related policies, such as Conservation Areas (see Campaign Briefing 6 in this series). Others, often titled 'green wedges' or 'strategic gaps', have the primary function of preventing sprawl or the joining up of settlements, and so can be seen as more related to Green Belt policy (see Campaign Briefing 2 in this series) than to a landscape designation. There are two critical differences between Green Belts or the Local Green Space designation on the one hand, and green wedges on the other. These are that, as noted above, there is no explicit national policy on green wedges; and in particular no requirement that the green wedge designation should last longer than the life of a current Local Plan. All these policies are, however, valuable and should be retained or developed.

5.1.12 CPRE has reservations about the strength and applicability of the LGS designation and how well it is being promoted. The PPG does not address the main concerns raised by CPRE in our response to the draft:

- The guidance does not define what an 'extensive tract of land' may be, which would mean a site could not be designated as a LGS. The PPG states that: *'There are no hard and fast rules about how big a LGS can be because places are different and a degree of judgement will inevitably be needed. Blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be used as a 'back door' way to try to achieve what would amount to a new area of Green Belt by*

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*another name.* We are concerned that the lack of steer may mean that local authorities are wary of using the designation.

- We called for further information about how the LGS designation sits alongside existing local landscape designations (such as Areas of Great Landscape Value) and the relationship with Town and Village Green status. The NPPG does not clarify the position regarding existing local landscape designations but does include information about how it relates to National Park, AONB, SSSI, Scheduled Monument or Conservation Area status: *‘Different types of designations are intended to serve different purposes. If land is already protected by a designation, then consideration should only be given to whether any additional benefit would be gained by designation as LGS.’* We are aware that Leicestershire County Council’s guidance to LGS suggests that a community or authority should only consider a site for LGS designation if it has first considered whether the site could be registered as a Town or Village Green.
- Finally, the PPG does not provide further on guidance on how the LGS designated site would be ‘protected’ for longer than the life of a Local Plan. We are concerned that a site could potentially be designated LGS for a few years and then earmarked for development in the subsequent Local Plan.

### Biodiversity offsetting

5.1.13 In addition to Local Wildlife Sites and SSSIs providing protection for a number of areas of the countryside (see above), biodiversity considerations are also likely to figure more prominently due to the emerging practice of biodiversity offsetting. Large areas of countryside contain particularly rare or valuable areas of wildlife habitat, which often is not protected by either existing countryside or wildlife site protection policies. ‘Offsetting’ allows developers to trade the loss of habitat in one location for provision of replacement habitat of the same type delivered elsewhere. The Government has not yet set out a planning policy or guidance approach to offsetting. Defra is piloting the use of offsets in six areas and has produced [guidance](#) intended only to inform the pilots. However, there have already been case studies of controversial developments being proposed and/or allowed on greenfield land which include a biodiversity offsetting element (see Further Information). CPRE, along with other members of [Wildlife and Countryside Link](#), has deep concerns about the use of offsetting, in particular that it could be seen as allowing developers to destroy valuable habitats without sufficient guarantees of real environmental improvement.

### National designations

5.2.1 The protection for National Parks and Areas of Outstanding Natural Beauty continues in the NPPF. Paragraph 115 states ‘Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in the National Parks and the Broads.’ A footnote (25) has also been added to the final NPPF which points readers to the *English National Parks and the Broads: UK Government Vision and Circular 2010* which provides further guidance and information about their statutory purposes, management and other matters. There is no equivalent Circular on Areas of Outstanding Natural Beauty, but Natural England has published information on these



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[areas](#). The NPPF therefore appears largely to constitute ‘business as usual’ for National Parks and AONBs, although there will continue to be development threats within, and on the boundaries of, these areas. CPRE has long argued that specific consideration should be given to development proposals located outside, but affecting the ‘setting’ of, these designated areas and we called, unsuccessfully, for this issue to be specifically addressed in the final NPPF. Examples of where a National Park and AONB have established a position on this issue can be found in Annex B.

5.2.2 Paragraph 116 of the NPPF states *‘Planning permission should be refused for major developments in these areas except in exceptional cases and where it can be demonstrated to be in the public interest.’* The paragraph continues *‘consideration of such applications should therefore include an assessment of i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.’* The major development test is largely unchanged from Planning Policy Statement 7 and therefore local authorities should continue as before.

## 6. CAMPAIGN ADVICE

6.1 It is important to consider how your local authority can help secure a better future for the wider countryside and protected areas.

### Undesignated countryside

6.1.1 As detailed above in paragraph 5.1.7 the NPPF is silent on whether local landscape designations or criteria-based landscape policies are acceptable under the new national guidance. However, the NPPF does state that the planning system should ‘protect and enhance valued landscapes’ (para 109) and ‘minimise adverse impacts on the local and natural environment’ (para 110). Both criteria-based policies and local landscape designations can be effective ways of delivering these requirements in practice. Branches could therefore explore, using Landscape Character Assessments as the evidence base, whether local authorities could try to include local landscape designations or criteria-based countryside policies in their local plans.

6.1.2 LCAs are only a part of the evidence base; for best use to be made of them further work must be done. To have weight they must be applied through local plan policies that explicitly refer to them. Such policies could guide development to areas of less sensitivity, quality or value (so according with NPPF para. 110). Landscape capacity studies and related policies could also be based on LCAs. They could assess capacity for or sensitivity to potential development in general or specific types of development e.g. wind turbines as Lancashire County Council have done (see website link in paragraph 5.1.2 and the Energy Infrastructure Briefing in this series; as the NPPF para. 97 appears to offer some encouragement for landscape capacity approaches to energy infrastructure pressures). Encourage your local authority to make best use of any LCA work they have already done by taking these additional steps.

6.1.3 Find out if your local authority has organised Landscape Character Assessment projects in your area. If they have not been involved in this work, or you are keen for a particular area to be covered by a Landscape Character Assessment, then you could contact the local authority and

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seek a meeting with the relevant department. Refer to good practice in other areas and make a specific policy suggestion. Examples of local authorities which have undertaken Landscape Character Assessment work can be found in Annex C. You could use these examples to illustrate the importance of Landscape Character Assessment.

6.1.4 England has been divided into 159 different National Character Areas (NCAs) - previously known as Joint Character Areas (JCAs). These provide a widely recognised spatial framework for different landscapes at a national scale and have been used, for example, in targeting Natural England's Environmental Stewardship scheme, the Countryside Quality Counts project to monitor landscape character change, and for policy development in at least some regional spatial strategies. Profiles for each Area are currently being updated by Natural England and undergoing limited stakeholder consultation, with the first tranche published in July 2012, and the full set of 159 expected were completed in 2014. You could encourage your local authority to contact their regional Natural England office to see how they could be involved in the promotion of the new NCAs. The new profiles are vastly more detailed compared to the original work in 1999 and are now a usable resource which includes information such as key facts and data and environmental opportunities. The NCA profiles could help shape the local plan and could form the basis of any Landscape Character Assessments within the county area. Information on the NCA review: <http://www.naturalengland.org.uk/publications/nca/default.aspx>

6.1.5 Localism provides a greater opportunity for local authorities to advance policy priorities as they see fit. CPRE's first objective should be to ensure that important and effective existing, and sometimes extensive, local landscape policies and guidance are not lost in the process of preparing the new local plans. One area that needs careful consideration in this respect is the future role and status of supplementary planning guidance. The concept of 'supplementary planning guidance' has been overtaken by the more formal Supplementary Planning Documents (SPD) which have a specific status in the planning system (Planning and Compulsory Purchase Act 2004). The NPPF (Para. 153) suggests that SPDs 'should only be used where clearly justified' and 'where they can help applicants make successful applications, or aid infrastructure delivery'. They 'should not be used to add unnecessarily to the financial burdens on development'. Despite this, local landscape policy is important enough to be incorporated in local plans and new SPD, building on any past work.

### Local designations

6.1.6 Refer to paragraphs 5.1.5 and 5.1.6 of this briefing and contact your local authority to suggest they carry out a Local Green Space research initiative such as Leicestershire County Council's project.

6.1.7 Encourage your local authority to retain existing local landscape or other protective designations, where they have been effective and it can be clearly shown that criteria-based planning policies cannot provide the necessary protection. You could also encourage your local authority to adopt a general policy of protecting all landscapes. East Devon District Council proposed such a policy in their draft local plan consultation in late 2011 and it passed the Examination stage in early 2014 see the policy in Annex D. The LGS designation is not intended to replace existing local designations but to offer an opportunity for local communities to recommend some smaller parcels of land that they would like to see designated. When the local plans are being prepared use consultation and the public examination to voice your support for existing local landscape designation.

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### National designations

6.1.8 Use local plan consultation and public examination to ensure that local authorities uphold their statutory duty to have regard for National Park and AONB purposes. The 'Natural Environment' section of the PPG contains a section on 'Landscape'. Paragraph 003 clarifies the legal duties of local planning authorities in relation to National Parks and AONBs:

*'Section 11A(2) of the National Parks and Access to the Countryside Act 1949, Section 17A of the Norfolk and Suffolk Broads Act 1988 and Section 85 of the Countryside and Rights of Way Act 2000 requires that 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes. A list of the public bodies and persons covered under "relevant authorities" is found in Defra guidance on the 'have regard' duty. Natural England has published good practice guidance on the 'have regard' duty.*

*This duty is particularly important to the delivery of the statutory purposes of protected areas. The duty applies to all local planning authorities, not just national park authorities. The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.'*

6.1.9 Another important document for AONBs and National Parks is their management plan which, through its development, engages and gains support from all relevant stakeholders, importantly including local communities. It co-ordinates and integrates other plans, strategies and actions, sets the vision and objectives for the area, frames policy and activity and indicates how the social, economic and environmental agendas will be delivered through sustainable development. The statutory local plan should reflect the management plan's objectives and enforce it where development proposals affect the area. Lobby your council if you believe that the management plan is being ignored when considering a development proposal or if a development near the boundary would compromise the setting of the National Park or AONB.

6.1.10 The PPG also states that *'Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area. As part of this, local planning authorities and neighbourhood planning bodies should have regard to management plans for National Parks and Areas of Outstanding Natural Beauty, as these documents underpin partnership working and delivery of designation objectives. The management plans highlight the value and special qualities of these designations to society and show communities and partners how their activity contributes to protected landscape purposes. National Parks and Areas of Outstanding Natural Beauty management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.'*

### 6.2 Opportunities to influence the local authority:

6.2.1 If you already have contact with your local authorities about landscape issues, then you can request a meeting to discuss how they may improve their approach. They are likely to welcome ideas about how the NPPF could be implemented in their local plan. Refer to good practice in other areas and make specific policy suggestions where possible. Use formal local plan consultation and the public examination opportunities to follow up on this. Encourage local planning authorities to engage the wider community in creating a vision for the local landscape.



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6.2.2 You could also seek opportunities to shape National Park and AONB management plans to ensure that CPRE's concerns are raised. Look at our report [Going, going, gone? England's disappearing landscapes](#) for an update on some recent development threats to National Parks and AONBs. AONBs are particularly vulnerable due to the constituent local authorities having individual responsibility for planning in their district, which may result in a varied approach.

6.2.3 Some local authorities give protection to some or all undesignated countryside in their areas by identifying it as 'Protected open land', 'Areas of separation', 'open countryside' or a similar designation in local plans. This usually gives a level of protection greater than relying on national policy, but less than Green Belt. Such policies can be helpful in driving a sequential (least damaging first) approach to land allocations and release, giving a detailed local application of national policies.

### 6.3 Landscape character:

6.3.1 There have been a number of pilot landscape character studies at local community level that have involved local people in the process, for example [CPRE's Unlocking the landscape: a step by step guide](#) and the Cheshire Landscape Trust and Countryside Agency's [Parish landscape character assessment pilot project](#), which summarises the experience of preparing parish landscape statements for two parishes in Cheshire. [The Landscape Character Network](#) provides a forum for sharing best practice. Use these examples to press your local authority to carry out landscape character assessments and refer to the NCA profiles in the development of local policies.

6.3.2 Local Landscape Character Assessment could be a useful part of the Neighbourhood Planning process. As with LCAs and local planning, it could provide the evidence base that development should take place on sites where it will have less visual and human impact. The assessment could also help to establish what policies should stipulate about master-planning, massing and design of buildings, height of buildings and building materials.

### 6.4 Using national and historic regional policy to influence local decisions:

6.4.1 It could be argued that as a 'core principle', the NPPF requirement to 'take account of the different roles and character of different areas... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it' should take precedence over or be given greater weight than other detailed policies in the Framework. In practice, the policy has often been given less weight than other sections of the NPPF requiring a five year supply of deliverable housing sites, where there has been a conflict between the two. But there have been a number of recent examples where the countryside has been given more weight (see Case Studies at the end of this briefing).

6.4.2 As a 'core principle', it can be used in conjunction with a number of other detailed policies to argue against development that is not appropriate in a countryside setting, or to promote strong countryside protection policies in a local plan, for example those relating to:

- Protecting valued landscapes [109]
- Minimising adverse effects on the local and natural environment [110]
- Encouraging brownfield re-use & setting local targets [111]
- Best and Most Versatile land [112]



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- Biodiversity, green infrastructure, ecosystem services [109,14, 117-118]
- Tranquillity [123]
- Light pollution [125]
- Need for up-to-date environmental info [165], which can include landscape character assessment [170]

6.5.1 NPPF paragraph 218 allows policies from Regional Strategies, which have been revoked, to be reflected in local plans, and for evidence used in preparing Regional Strategies to support local plan policies. Many Regional Strategies had strong policies protecting undesignated countryside and encouraging the use of landscape character assessment to inform plan and decision-making. Use the CPRE earlier briefing on [Regional Spatial Strategy Policy Principles](#) to help inform your approach.

6.6 ‘Valuing’ undesignated countryside: Try to demonstrate the value of the ‘[ecosystem services](#)’ that undesignated countryside provides, i.e. the benefits that we get from the countryside remaining undeveloped. This can include cultural values like tranquillity, amenity, a sense of heritage, history, place and identity, relaxation and stress relief, leisure & recreation, beauty, etc., and do not have to be given a monetary value in order to be material considerations. Heritage embodies cultural (e.g. literary) connections, which can be a useful campaign tool. For more details see Campaign Briefing 6 (Heritage and Design) in this series. Also consider, for example, factors like the value of productive farmland in the context of food security as well as value to the local economy or the value of flood plains and permeable soils in slowing down rainfall run-off in the context of climate change and increasingly extreme weather events. These ‘ecosystem services’ may already be partly understood by your local authority as ‘[Green Infrastructure](#)’. You can use things like personal testimony of local people, photographs and historical records to help provide evidence to support your claims, alongside the more quantitative evidence that local authorities and developers will produce.

6.7: A range of resources to help you plan an effective campaign, communicate your message, and gather people to your cause can be found on Planning Help:

<http://www.planninghelp.org.uk/improve-where-you-live/campaign-tips>

## 7. FURTHER INFORMATION

CPRE Resources:

7.1 General planning system advice is available at:

[www.planninghelp.org.uk](http://www.planninghelp.org.uk)

7.2 *Protecting the wider countryside* is available here:

<http://www.cpre.org.uk/resources/housing-and-planning/planning/item/download/1740>

7.3 *Unlocking the landscape* is available here:

<http://www.cpre.org.uk/resources/countryside/landscapes/item/download/439>

7.4 *Going, going, gone? England's disappearing landscapes* is available:

<http://www.cpre.org.uk/resources/countryside/landscapes/item/3454-going-going-gone-englands-disappearing-landscapes>

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7.5 Friends of the Lake District, which represents CPRE in Cumbria, campaigns for the importance of common land and town and village greens to be recognised, and to increase the understanding of how complex the issues and laws related to these areas are. FLD was the lead partner in the ground-breaking *Our Green Space* project, which tackled issues relating to community green space. The website is very informative and has links to project publications: <http://www.ourgreenspace.org.uk/>

### Case Studies:

Three recent Government planning appeal decisions that provide a potentially useful commentary on wider countryside protection issues are:

Cheshire West and Chester Council, decision dated 12 December 2013, appeal case reference 2197189.

East Devon District Council, decision dated 20 January 2014, appeal case reference 2202124.

Wealden District Council, decision dated 18 June 2013, appeal case reference 2186147.

Two recent decisions also provide some commentary on the issue of biodiversity offsetting (see paragraph 5.1.13 of this briefing):

North Tyneside Council, decision dated 3 September 2013, appeal case reference 2175554.

Wiltshire Council, decision dated 7 May 2014, appeal case reference 2206539.

These and other planning appeal decisions can be downloaded from [www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp](http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp).

Case studies about the Local Green Space Designation, designated landscapes and their setting, local authority Landscape Character Assessment and a local authority policy to protect all landscapes can be found in annexes A, B, C and D.

### Other Useful Information:

National Planning Practice Guidance on landscape:  
<http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/landscape/>

National Planning Practice Guidance on Local Green Space designation:  
<http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

European Landscape Convention: Natural England's ELC webpage includes links to the framework for implementation in England, the NE ELC action plan and guidelines for production of ELC action plans:  
<http://www.naturalengland.org.uk/ourwork/landscape/protection/europeanconvention/default.aspx>



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National Character Areas: Comprehensive information about Natural England's NCA profile review can be found: <http://www.naturalengland.org.uk/publications/nca/default.aspx>

National Park Circular: In 2010, Defra published '*England's National Parks and the Broads: UK Government Vision and Circular.*' The purpose of this circular, which applies only in England, is to provide updated policy guidance on the English National Parks and the Broads: <https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010>

AONBs: The National Association for AONBs website: <http://www.landscapesforlife.org.uk/>

Open Spaces Society: There is a range of information on the OSS website, including publications on common land and village greens: [www.oss.org.uk](http://www.oss.org.uk) When the Local Green Space designation was proposed in 2010, the Open Spaces Society asked its members to advise on what they would wish such a designation to achieve. They produced *A Framework for Green Spaces* which summarises the responses they received: <http://www.oss.org.uk/a-framework-for-green-space/>

Defra: An overview of recent changes to Town & Village Green registration: <https://www.gov.uk/town-and-village-greens-how-to-register>

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### ANNEX A

#### EXAMPLES OF LOCAL AUTHORITY WORK ON NEW LOCAL GREEN SPACE DESIGNATION

##### ***Leicestershire County Council (started in 2011, ongoing project)***

Early in 2011, the county council asked the public to say which local green spaces they particularly valued and why. This was in response to Government proposals to create a new designation, to protect green areas of particular importance to local communities.

Areas were identified by communities using an online interactive map-based application and at special sessions run at the 27 Community Forums.

Over 2,000 people selected more than 3,000 areas. The highest responses covered areas proposed for housing. The most common land categories people wanted to protect were country parks and woodland; community green spaces, such as village greens; playing fields; open countryside; derelict land; and private land, such as golf courses.

Website: There is a wide range of information about Leicestershire County Council's work on their website: <http://www.leics.gov.uk/greenspaces>

##### ***Central Bedfordshire Council***

*The Council produced a Development Strategy Local Green Space Paper in 2012, which set out their aspirations for use of the Local Green Space designation. A new methodology for identifying Local Green Space has been developed. It is anticipated that this methodology can be used by Town and Parish Councils who wish to designate Local Green Space through Neighbourhood Plans. Sites will be identified using a scoring system based upon the criteria as further detailed below. Individual land parcels identified will be assessed using the scoring system. Details are set out in:*

*[http://www.centralbedfordshire.gov.uk/Images/Local%20Green%20Space%20Paper%20with%20Cover%20V2\\_tcm6-37615.pdf](http://www.centralbedfordshire.gov.uk/Images/Local%20Green%20Space%20Paper%20with%20Cover%20V2_tcm6-37615.pdf)*

*Apsley Guise Parish Council did not wish to undertake a Neighbourhood Plan at this time as they are not required by the Core Strategy and Development Management Policies Document, the Site Allocations Development Plan Document or the emerging Development Strategy to accommodate any new development up to 2031. However, they wish to protect land in close proximity to the settlement from potential new development resulting from the expansion of Milton Keynes in the long term and began to identify land for possible Local Green Space designation. Read more about their work in the website link above.*



## ANNEX B

### EXAMPLES OF POLICIES ON THE SETTING OF DESIGNATED LANDSCAPES

#### ***Cotswold Conservation Board Position Statement: 'Development in the setting of the Cotswolds AONB'***

1. Areas of Outstanding Natural Beauty (AONBs) are designated by the Government for the purpose of ensuring that the special qualities of the finest landscapes in England and Wales are conserved and enhanced. In policy terms they have the same planning status as National Parks.
2. The Cotswolds Conservation Board is the body set up by Parliament to conserve and enhance the natural beauty of the Cotswolds AONB and increase the awareness and understanding of the special qualities of the AONB. The Board also has a duty to have regard to the social and economic needs of those who live and work in the Cotswolds.
3. This Statement provides guidance to and local planning authorities, landowners and other interested parties regarding the consideration of the impact of development and land management proposals which lie outside the AONB but within its "setting".
4. The Board considers the setting of the Cotswolds AONB to be the area within which development and land management proposals, by virtue of their nature, size, scale, siting, materials or design can be considered to have an impact, positive or negative, on the natural beauty and special qualities of the Cotswolds AONB.

The detailed policy can be viewed:

<http://www.cotswoldsaonb.org.uk/userfiles/file/consultations/setting-final-headed-6july-2010-revised-oct2010.pdf>

#### ***Northumberland National Park Authority: 'Working to ensure policies include the impact on National Parks from developments beyond their boundaries'***

##### ***Case study taken from Natural England publication 'England's statutory landscape designations: a practical guide to your duty of regard' (NE243)***

Development that takes place outside National Park boundaries can still have the potential to impact on the special qualities of National Parks, particularly on landscape quality and tranquillity. Northumberland National Park Authority (NPA) has engaged with district councils and other agencies to ensure that these impacts are recognised and mitigated against in written policy.

The NPA commented on the Core Strategy landscape policy of the former Tynedale Council while the policy was at the 'preferred options' stage of development. Originally there had not been any reference included in the policy to assessing the potential impact on the National Park of new development. The NPA suggested an additional criterion covering the effects of development close to the National Park. As a result, a criterion to 'Ensure that development close to Northumberland National Park does not have an unacceptable adverse



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effect on its landscape quality, wildlife or geological value' was added to the Core Strategy policy on the Natural Environment. This was included in the submission document sent to Government, and subsequently adopted as policy in October 2007.

The NPA has also been involved in discussions on the Regional Spatial Strategy (RSS) for the North East, prepared by the North East Assembly in December 2004, which included a 'Planning for Renewables' policy. This stated that the 'effect on the region's World Heritage Sites and other national and internationally designated heritage sites or landscape areas, including the impact of proposals close to their boundaries' should be considered when assessing renewable energy proposals. There was debate at the RSS Examination in Public on whether the policy would create a 'buffer zone' around designated areas, contrary to national policy. The NPA and others argued that such a policy was not contrary to national policy and was required to protect the special qualities of protected areas given the high number of wind farm proposals close to them in the region. The Inspector's Report found that there was no contravention of national policy arising from the criterion, and it remained in the Proposed Modifications to the RSS published in May 2007. However, it was removed in the Further Proposed Modifications to the RSS, published in February 2008, prompting objections from the NPA, the North East Assembly and Northumberland County Council. Consequently, it was reinstated in the final RSS (adopted in July 2008), ensuring that impacts on the special qualities of the National Park will be considered in plans for renewable energy developments in the North East.

Full report can be downloaded from Natural England website:  
<http://publications.naturalengland.org.uk/publication/30037>

## ANNEX C

### EXAMPLES OF LOCAL AUTHORITIES WHICH HAVE CARRIED OUT LANDSCAPE CHARACTER ASSESSMENT WORK

#### ***Devon County Council***

Devon's landscape character assessment describes the variations in character between different areas and types of landscape in the county. It provides an evidence base for local development frameworks and plans, articulating what people perceive as distinctive and special about all landscapes in Devon. It also set out strategies and guidelines for the protection, management and planning of the landscape.

The website has a wide range of information about the project and links to all relevant documents: <http://www.devon.gov.uk/landscapecharacter>

#### ***Hampshire County Council***

The Hampshire Integrated Character Assessment is currently in the draft stage and includes Landscape, Townscape and Seascape Assessment for the county. The council has created an interactive map and web pages for individual assessments.

Many District and Borough authorities have produced local assessments which may form part of their Local Development Framework.

The Hampshire assessment complements local assessments by providing a strategic overview. It provides an evidence base which will be used in the county's work, including strategic planning, land management work and place shaping programmes and replaces the 2000 character assessment 'The Hampshire Landscape: A Strategy for the Future'.

Main website: <http://www3.hants.gov.uk/landscape-and-heritage/planning-the-landscape/landscape-character/hampshire-integrated-character-assessment.htm>

For further information on district work see: <http://www3.hants.gov.uk/landscape-and-heritage/planning-the-landscape/landscape-character/dlc-assessment.htm>

#### ***Central Bedfordshire District Council***

There are two separate LCA reports for Central Bedfordshire which covers the former Mid Beds and South Beds District Council areas. This is because the LCA was carried out before April 2009 when both districts were amalgamated to create the new unitary authority of Central Bedfordshire. Both LCAs, when considered together, provide a characterisation of the whole of Central Bedfordshire and describe eight broad landscape types. These eight landscape types are further subdivided into smaller landscape character areas which each have a distinct and recognisable identity at the local level. In total there are 21 such sub-areas covering former Mid Bedfordshire and 23 in the former South Bedfordshire district. These character areas provide a useful and convenient unit for the LCA and are therefore used as the basis for the detailed description and evaluation.



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The website provides links to PDF sections of the LCA work:

<http://www.centralbedfordshire.gov.uk/environment/natural-environment/natural-environment-landscape-character-assessment.aspx>

### ***Worcestershire County Council***

The Council has carried out a lot of work on landscape character, including the preparation of Supplementary Guidance on Landscape Character Assessment in October 2011. Other resources include an interactive map and a document about the role of the Worcestershire LCA in planning (2008).

Website: <http://www.worcestershire.gov.uk/cms/landscape-character-assessment.aspx>

## ANNEX D

### EXAMPLE OF LOCAL AUTHORITY GENERAL POLICY TO PROTECT ALL LANDSCAPES

#### ***East Devon District Council***

The Council produced its draft strategy for consultation in December 2011 and included a general landscape protection policy, this reached Examination stage in February/March 2014 and the Inspector did not raise any queries about this policy. The Council expects to adopt the new local plan in the coming months:

#### ***The East Devon Local Plan 2006-2026 - Proposed Submission (Publication) November 2012 Strategy 46 - Landscape Conservation and Enhancement and AONBs:***

*Development will need to be undertaken in a manner that is sympathetic to and helps conserve and enhance the quality and local distinctiveness of the natural and historic landscape character of East Devon, in particular in Areas of Outstanding Natural Beauty.*

*Development will only be permitted where it:*

- 1. conserves and enhances the landscape character of the area;*
- 2. does not undermine landscape quality; and*
- 3. is appropriate to the economic, social and well-being of the area.*
- 4. can be shown that development cannot be accommodated elsewhere outside of the AONB.*

*When considering development in or affecting AONBs, great weight will be given to conserving and enhancing their natural beauty.*

Website: <http://www.eastdevon.gov.uk/publicationdraftnewlocalplan.pdf>