

REBUTTAL LANDSCAPE PROOF OF EVIDENCE

ON BEHALF OF DAVID WILSON HOMES EAST MIDLANDS LTD AND ANTHONY RAYMOND SHUTTLEWOOD

APPEAL AGAINST THE REFUSAL OF PLANNING PERMISSION FOR OUTLINE PLANNING APPLICATION

FOR UP TO 170 DWELLINGS (INCLUDING AFFORDABLE HOUSING) AND WITH ALL MATTERS RESERVED OTHER THAN ACCESS TOGETHER WITH ASSOCIATED LANDSCAPING AND OTHER INFRASTRUCTURE

LAND AT COSSINGTON ROAD, SILEBY

Prepared by: ANDREW COOK BA (HONS) MLD CMLI MIEMA CENV

Pegasus Group

Pegasus House | Querns Business Centre | Whitworth Road | Cirencester | Gloucestershire | GL7 1RT
T 01285 641717 | **F** 01285 642348 | **W** www.pegasuspg.co.uk

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | Liverpool | London | Manchester

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1. INTRODUCTION

1.1 For the purposes of this rebuttal and to ensure that the site which is subject to this appeal (LPA ref: P/21/0491/2), is easily discernable from the other sites discussed in Section 3 of this report. The site (LPA ref: P/21/0491/2), shall be referred to as the 'site (Cossington Road)' throughout this rebuttal.

2. ILLUSTRATIVE MASTERPLAN

2.1 It is noted that the Illustrative Masterplan submitted as Core Document (CD2.06) illustrated 158 dwellings. The Illustrative Masterplans submitted as Appendices 1 and 2 illustrate how 170 dwellings can be accommodated on the site (Cossington Road), albeit that based upon current market evidence my client is more likely to bring forward reserved matters that correspond with the figure of 158 shown on the original masterplan.

3. APPROVED HOUSING SITES WITHIN THE AREA OF LOCAL SEPARATION

3.1 Within the Borough of Charnwood, there have been a number of housing allocations approved within other Areas of Local Separation (ALS).

3.2 This rebuttal will discuss the following applications within the ALS that have been granted planning permission, notwithstanding that designation, and notwithstanding the assertion that the designation is one of the reasons for concluding that the site is to be treated as part of a valued landscape within the meaning of NPPF §174(a):

- ALS-C Mountsorrel and Rothley
 - *Land off Mountsorrel Lane, Rothley (P/12/2005/2 and P/12/2456/2 - APP/X2410/A/13/2196928 & APP/X2410/A/13/2196929) - (CD7.07)*
 - *Land at West Cross Lane, Mountsorrel (P/14/0058/2) – (CD7.09)*
- ALS-J Queniborough and Syston
 - *Land off Millstone Lane, Queniborough (P/14/0393/2) – (CD7.10)*
- ALS-N Rearsby and East Goscote
 - *Land at (the former) Rearsby Roses Ltd, Melton Road, East Goscote (P/12/1709/2) – (CD7.11)*

Land off Mountsorrel Lane, Rothley (CD7.07)

- 3.3 This was an outline application for 250 dwellings (P/12/2005/2), with an associated application (P/12/2456/2) providing for the associated open space. As illustrated at Appendix 4 the applications would occupy a sizable area between the settlements of Mountsorrel and Rothley. Both applications were determined via an appeal and called in by the Secretary of State (SoS).
- 3.4 With regards to the effect of the proposed development on the character and appearance of the area including the purpose and integrity of the ALS. The Inspector sets out in the Report to the SoS that, **“It is common ground that if the appeal succeeds there would be a reduction in openness. The minimum length of the separation would fall from about 800m to 240m. By building up to 250 dwellings on a greenfield site, the proposed development would clearly affect the existing ALS between Mountsorrel and Rothley and the character of the appeal site would be radically changed.”**
- 3.5 The Inspector goes on to note that whilst the site is relatively well contained, from the representative viewpoints there would be significant visibility of the new development from both the existing settlement edges of Rothley and Mountsorrel. I note that with regards to the site (Cossington Road), the Landscape Proof of Evidence (LPoE) confirms that the proposals would also always be seen in the context of adjacent development, meaning that the proposed scheme would not visually extend the visual envelope of Sileby as it relates to the wider landscape, but rather it would fall within the existing visual envelope associated with the wider environs of Sileby.
- 3.6 The Inspector continues at paragraph 8.32 where he discusses the impact of the development on the ALS **“there are several reasons for thinking that the impact of the development on the ALS would be quite limited and not very harmful- much less fatal - to its overall purpose, integrity or character. First, the main built component of the proposed development would extend Rothley in a primarily eastward direction out from Mountsorrel Lane, contained to the north by Rothley Cemetery. This would mirror the westerly most extent of the village towards The Ridings. The retained ALS distance between the northern edge of the expanded Rothley would be entirely consistent with the separation which exists to the west of Mountsorrel Lane at its narrowest point.”**

- 3.7 The evidence presented in my proof explains that the ALS to the west of Cossington Road/Main Street plays a far more significant strong role in the perception of the separation of Sileby and Cossington than the site (Cossington Road) does. It is considered that whilst the scheme does extend and encroach into the ALS, what needs to be borne in mind is how the various parcels on land within the ALS are actually performing in the role to maintain separation between the two settlements. In considering this point it should be noted that the area that would accommodate the proposed housing only has a limited role in realising the function of this policy. As a result, whilst there would be some physical loss, the actual and perceived sense of separation would not materially change with the proposed scheme in place. The actual physical distance in terms of the gap between Sileby and Cossington is approximately 150m as illustrated at Appendix 3. Notwithstanding that the existing properties located on the western side of Cossington Road already represent the most southerly extension of Sileby, and the scheme on the site (Cossington Road) does not extend the extent of the built form beyond this most southerly point. A significant proportion of the site (Cossington Road) is proposed as open space, to include the restoration of historic hedgerows and smaller fields as such the proposed built form would reduce the ALS by approximately 166m (at its widest) however this will not reduce the shortest physical distance between the settlements.
- 3.8 The Inspector for the Rothley appeal site also notes how the masterplan has been sensitively designed, specifically noting the retention of the broad area of green separation ensuring that the narrowest point, the gap of 240m is retained; and designed to ensure that the built development components can be successfully assimilated into the local landscape context in a manner that is consistent with the key characteristics of the national and local landscape character assessments.
- 3.9 The Rothley Inspector reinforces the point raised within the National Character Area (NCA) the Trent Washlands, that the built development would be on the valley slopes which is identified as being characteristic. I note that this is a point that is equally valid for the site at Cossington Road.
- 3.10 The Inspector goes on to note at paragraph 8.34 that, **“Whilst I appreciate that the appeal site is considered attractive at a local level it is also true that it has never been designated as a result of its perceived landscape character or quality... It is significant that the appeal site was not included within the Areas of Particularly Attractive Countryside**

designations as defined in the CBCLP. It is not a valued landscape as set out in the NPPF and it is not a NPPF footnote 9 site". I note that Section 4 of this rebuttal sets out the reasons as to why the site (Cossington Road) is not considered to be a 'Valued Landscape' in terms of the NPPF.

- 3.11 In paragraph 8.39 the Rothley Inspector concluded that **"...the proposed development would not significantly harm the character and appearance of the area or undermine the planning purpose or overall integrity of the wider ALS. The countervailing environmental benefits more than outweigh the loss of ALS and the limited landscape harm caused by the loss of green field land."**

Land at West Cross Lane, Mountsorrel (CD7.09)

- 3.12 Application P/14/0058/2 was an outline planning application for up to 130 dwellings located entirely within the ALS, on the southern edge of Mountsorrel (as illustrated at Appendix 4). The application was approved at Planning Committee.
- 3.13 The Committee Report for the site on page 24 notes that the narrowest point of the ALS between the two settlements is around 120 metres; and whilst the introduction of built form on the site is noted to be outside of the current settlement limit it would not shorten the narrowest distance between the two settlements. I note that the LPoE confirms this is also the case for the site (Cossington Road), where the introduction of built form would not reduce the shortest physical distance between the settlements (as illustrated at Appendix 3).
- 3.14 The Mountsorrel Officer continues and states that **"The development would change the character of the site from a farmland setting to a residential area; however when considered in the context of the landscape setting of the area and the site's immediate relationship to the edge of the settlement of Mountsorrel, the magnitude of change will not be significant and the landscape screening buffer enclosing the site would limit any adverse impact. Therefore it is considered that the impact of the development on the area of separation would not result in a justifiable reason for refusal of the application."**
- 3.15 My proof notes that there are significant urbanising influences associated with the site (Cossington Road). There would be residential curtilages almost contiguous with the site's (Cossington Road) northern boundary which would reveal a strong sense of physical and visual connection between the settlement edge and the

adjacent areas of the site (Cossington Road). Furthermore, The Charnwood Landscape Capacity and Sensitivity Assessment Addendum Report (February 2021), prepared by LUC, which forms part of the Council's evidence base for the emerging Local Plan, assessed the site (Cossington Road) as having low to moderate sensitivity to 2-3 storey residential development. A sensitivity judgement of low to moderate is defined in the report as **"Few of the key characteristics and qualities of the landscape are sensitive to change."**

Land off Millstone Lane, Queniborough (CD7.10)

- 3.16 Application P/14/0393/2 was a full planning application for the development of 101 dwellings with associated works and the creation of a cemetery and was approved by Planning Committee. The site is located on the northern extent of Syston (as illustrated by Appendix 5).
- 3.17 At page 58 of the Queniborough Committee Report, the Officer states that **"Although there would be some impact on the character of the edge of the open countryside and landscape, this impact would not be so significant or demonstrable as to outweigh the benefits of providing housing land. Whilst the area would extend outside the defined limits to development, the area to be lost would be limited and given its location adjacent to Syston, behind existing housing of Melton Road and given a field would remain between the site and Queniborough, it is considered a refusal on the loss of local separation and settlement coalescence would be hard to justify, especially given Inspectors' recent decisions in similar situations. The site relates well to the existing settlement of Syston and would retain a substantial area of open space to separate Queniborough and Syston. As such, although there would be some impact on the character and appearance of this area of local separation, the significance of this impact is considered limited. The separate identity of Queniborough and Syston would be retained and the harm caused to their identities and character, by the development would also not be so significant or demonstrable as to warrant a refusal of planning permission."**
- 3.18 My proof notes that the site (Cossington Road) is framed to the west by Cossington Road and existing residential development fronting this highway and is currently significantly affected by the substantial urbanising influences of other adjacent development. The site (Cossington Road) in terms of its character

appears as an urban fringe environment. This mainly relates to the northern part of the site (Cossington Road) where the proposed development area is intended to be located. I note that the wider landholding and balance of the site (Cossington Road) would accommodate significant new green infrastructure which would replace an arable field and again change this character of the site (Cossington Road) to be more representative of the historic local landscape character area and retain the green gap and separation between the settlements.

Land at (the former) Rearsby Roses Ltd, East Goscote (CD7.11)

- 3.19 The application (P/12/1709/2) was an outline planning application for 60 dwellings. The application was refused at Planning Committee but granted permission at appeal (APP/X2410/A/12/2187470).
- 3.20 With regards to the appeal site's impact on the ALS the Inspector notes in paragraph 21 of the appeal decision that **“First, the site is already contained on 2 sides by built development, which acts as a backdrop in views of it from various viewpoints and directions. Thus it is located on the northern edge of East Goscote, and not in the open countryside as such. Second, owing to the aforementioned “stagger” in the ALS’s plan form, the minimum extent of the open and undeveloped gap between the two villages would not be reduced any further, although it would, of course, be reduced on the east side of Melton Road.”**
- 3.21 The East Goscote Inspector’s comments relating to the appeal site and the containment by existing built form; how the appeal site would be seen in the context of this existing built development and; how the appeal site would not reduce the minimum extent of the undeveloped gap between the two villages - as noted above, all of these points apply to the site (Cossington Road). Whilst the importance of separation between the two settlements is not disputed, the land to the west of Cossington Road/Main Street plays a far more significant strong role in the perception of the separation of Sileby and Cossington than the site (Cossington Road) does.
- 3.22 The Inspector continues at paragraph 22, **“But (third), even on that eastern side there would still remain a substantial open gap - both actual and “perceived” - between the northern edge of built development on the appeal site and Grange Avenue in Rearsby, which is the nearest built development to the north. This retained gap would include both the**

northern part of the appeal site itself, which as mentioned above would be kept open and undeveloped, and the large, tree-fringed paddock between that and Grange Avenue. In my judgement, this gap would be sufficiently wide to prevent any demonstrable coalescence or merging between the villages, which could lead to the undesirable diminution of their separate identities."

- 3.23 As noted within my poof whilst the countryside between Sileby and Cossington performs a strong role in maintaining the perceived and actual separation. With the proposed scheme in place, there would be no change to this current situation. The Illustrative Masterplan (Appendix 1 and 2), also illustrate how the gap between the settlements would be retained due to the positioning of the area of green open space within the site (Cossington Road).
- 3.24 The East Goscote Inspector continues noting that **"in terms of its intrinsic landscape character and value, no one at the hearing argued that the appeal site itself is particularly interesting or attractive. Like the rest of the ALS, it has not been designated for its landscape value, but only for its location and function as a small part of the ALS. Indeed, it both looks like, and is, rather a dull and featureless flat expanse of grass, overlooked by nearby houses and bordered by the busy Melton Road"**.
- 3.25 Section 4 of this report demonstrated why I consider that the site (Cossington Road), is not deemed to be a valued landscape in NPPF terms. Similarities can be drawn between the site (Cossington Road) and the appeal site mentioned in the above paragraph. As described in the LPoE the site (Cossington Road) is also devoid of any internal landscape features, with the exception of the agricultural crop, with landscape features such as trees and hedgerows confined to the boundary. It is overlooked and located directly adjacent to existing houses to the north and is bordered by the mainline railway and Cossington Road to the east and west retrospectively.
- 3.26 The East Goscote Inspector concludes by stating **"For all those reasons, I consider that the proposed development would not significantly harm the landscape character of the site, or undermine the planning purpose or overall integrity of the wider ALS. Nor would it necessarily lead (as assumed by some local residents) to any further loss or erosion of the ALS in this area."**

3.27 Finally, in paragraph 33 the East Goscote Inspector states that **“The proposed development would have a somewhat harmful effect on the purpose and integrity of the ALS. However, harm would be limited and would not be sufficient to undermine its continuing planning function, or to cause the coalescence (or even near-coalescence) of East Goscote and Rearsby. The larger part of the ALS would be unaffected, and even on the eastern side of Melton Road adequate physical and visual separation between the two villages would be maintained”**.

4. VALUED LANDSCAPE

4.1 Neither the site (Cossington Road) (nor the settlement) is covered by a non-statutory Local Plan Landscape Protection Designation. It is acknowledged that the site (Cossington Road) is located within an ALS, but this is a spatial planning tool and is not related to landscape quality or value.

4.2 In terms of the NPPF, paragraph 7.4a is concerned with valued landscapes where the requirement is to protect and enhance. It goes on to note that other landscapes that are not valued, part b of the paragraph applies which is concerned with recognising the intrinsic character and beauty of the countryside. Within this rebuttal whilst it will be demonstrated why the site (Cossington Road) is considered to not to be a valued landscape, which is not to say that it has no value at all. Clearly, at the local level, members of the community no doubt do value this land at a personal level.

5. GLVIA3 (CD6.25)

5.1 The GLVIA3 Guidance addresses the concept of ‘valued landscapes’ and that the start of this subject is set out on page 80 of the document under a subheading ‘Establishing the Value of the Landscape’. It proceeds to adopt an analysis based on a hierarchy of values that are applied to landscapes with page 82 setting out landscapes that are nationally recognised in terms of their value. Under the heading ‘International and National Designations’ at paragraph 5.21 and to proceed to then to address local landscape designations at paragraph 5.25. It notes that in this paragraph that in many parts of the UK Local Authorities identify locally ‘valued landscapes’ and recognise them through local designations of various types which are special landscape areas or areas of great landscape value, no such designation has been applied to the site (Cossington Road). It goes onto note they are then incorporated into planning documents along with accompanied planning policies that apply in those areas. It goes on to note it is

necessary to understand the reasons for the designation and to examine how the criteria relate to the particular area in question.

- 5.2 The guidance then proceeds to discuss undesignated landscapes in paragraph 5.26 noting the fact that an area of landscape that is not designated either nationally or locally does not mean it does not have any value, but notes that even ordinary landscapes may have some value. Indeed, local members of the community will no doubt see many areas of their environment being of importance and value to them (as individuals), but this is different to the interpretation and understanding of 'Valued Landscapes' from a planning policy perspective as documented in the Framework.
- 5.3 The GLVIA3 goes onto note in paragraph 5.27 that where a local designation is not in place a starting point reference is the existing landscape character assessments and associated planning policies. GLVIA3 notes that there is a list of potential factors that are generally agreed to influence the value of as set out in and refers the reader to box 5.1 of the Guidance.
- 5.4 Box 5.1 is titled 'A Range of Factors that can Help in the Identification of 'valued landscapes' and under that heading, it identifies a number of parameters by means of a series of bullet points which are namely:
- Landscape quality (condition)
 - Scenic quality
 - Rarity
 - Representativeness
 - Conservation Interests
 - Recreation Value
 - Perceptual Aspects
 - Associations
- 5.5 Those guidelines are not intended to be applied in a prescriptive way and ultimately a judgment is called for in all of the circumstances of the particular area of land under consideration. GLVIA3 notes in paragraph 5.29 that where

areas of the landscape of character are judged to be intact and in good condition, and where scenic quality, wildness or tranquillity, and natural or cultural heritage features make it a particular contribution to the landscape, or where there are important associations, are likely to be highly valued.

5.6 Given this rationale, it should follow that the converse is also true that where such contributory elements are absent, the value is likely to be lower than where they are present. There will inevitably be variations across an environment. Therefore, in reality, there has to be a spectrum of perceived value across a range of landscapes. To provide clarification, with regard to this point, I consider that there are effectively three broad tiers. The first and the highest category relates to those landscapes valued as set out in paragraph 174(a) of the Framework. The second tier of landscapes are those which are of lower intrinsic value but are nonetheless valued by the local community. There is then, the third tier of landscape, which has no evidence base to demonstrate value and cannot be regarded as valued in any sense. On the basis of my analysis, I would say that this site (Cossington Road) sits at the lower end (i.e., low value) on the scale. I proceed to explain why I consider this to be the case.

5.7 **Landscape quality** is a measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements. In terms of landscape quality, this is synonymous with the condition of the landscape. In this instance, the site (Cossington Road) is formed of a single field that is currently used as arable farmland. Whilst the hedgerow alongside Cossington Road (western boundary) and the vegetation along the southern boundary of the site (Cossington Road) is generally intact, the northern boundary of the site (Cossington Road) is formed of gappy lengths of remnant hedgerows and a mix of boundary types (fencing, and ornamental trees and shrubs) marking the curtilages of the adjacent residential properties. Scattered vegetation is located along the eastern boundary alongside the mainline railway. However, trees and hedgerows associated with the site (Cossington Road) are generally in a moderate to low condition, which reflects the findings of the Charnwood Landscape Character Assessment for the Soar Valley Landscape Character Area (LCA) (CD6.10), which notes that many hedgerows within the LCA are now neglected and overgrown. There are no landscape elements on the site (Cossington Road) that elevates its quality out of the ordinary. Furthermore, the Illustrative Masterplan (Appendix 1 and 2) for the site (Cossington Road)

illustrates how historic field patterns and scattered trees once present across the site (Cossington Road) could be reinstated within the areas of public open space, which would further reinforce the overall local landscape character and reintroduce a sense of scale that has previously been lost due to hedgerow removal.

- 5.8 **Scenic quality** is a term used to describe landscapes that appeal primarily to the senses, primarily, but not wholly the visual senses. For the reasons I have articulated above, with regard to landscape quality, this equally applies with regard to scenic quality. Whilst not unattractive, the site (Cossington Road) is unremarkable as an agricultural field unit in its own right. However, it is framed and visually influenced to a significant degree by the presence of adjacent housing, Cossington Road, and the mainline railway. There is little genuine scenic quality associated with the site (Cossington Road) as it is a peri-urban environment.
- 5.9 In terms of **rarity**, there are no elements or features associated with the site (Cossington Road) which are considered to be rare. The site (Cossington Road) is also not located within a rare or unique landscape character type, rather the site (Cossington Road) is peri-urban in character and appearance.
- 5.10 **Representativeness** is defined in Box 5.1 as “**whether the landscape contains a particular character and/or features or elements which are considered to be particularly important examples**” The site (Cossington Road) is representative of a settlement edge, peri-urban environment, and is not considered to contain any characteristics or features or elements which are considered to be particularly important local examples.
- 5.11 **Conservation interest** relates to the presence of features of wildlife, earth science or archaeological or historical and cultural interest can add to the value of the landscape as a whole. In terms of wildlife and nature conservation assets, the site (Cossington Road) is maintained as arable farmland and as such is considered to be of limited ecological value. In terms of conservation interest, the sections of hedgerows along the western and southern boundaries of the site (Cossington Road), and the short section of tree cover along the watercourse are considered to be the key nature conservation assets of the site (Cossington Road). The once smaller-scale field patterns within the site (Cossington Road) which are often associated with the cultural dimension of the local landscape have been lost over time. In terms of heritage assets, the collection of brick barns and

houses at Brook Farm are Locally Listed Buildings that have a clear link to the wider setting of farmland. The site (Cossington Road) itself does not contain any notable features of archaeological, historical, cultural heritage, or wildlife interest that add material value to the landscape.

- 5.12 In terms of **recreational value**, the site (Cossington Road) does not offer any recreational value to the public, as it is private farmland with no public rights of way extending across it and therefore has no informal recreational value.
- 5.13 The Inspector for the Land at Maplewell Road, Woodhouse Eaves appeal (CD7.15) found that whilst the site had no recreational value or historic associations, the Inspector notes at paragraph 63 of the appeal decision that **“I accept that the countryside around Woodhouse Eaves is particularly attractive, and is a valued landscape for many of those who live nearby or go there to walk. I appreciate too how it lies within an important area of the Charnwood Forest designation.”** Charnwood Forest is renowned for its historic parks and ancient woodlands and is undoubtedly one of the most sensitive landscapes within the borough. The site is also located directly adjacent to Broombriggs Farm Country Park, from which there is a level of intervisibility with the site; and the Leicestershire Round long-distance footpath, which passes directly in front of the site along Maplewell Road. The Inspector notes that the scheme would also impact the enjoyment of users using part of the Leicestershire Round. A Locally Listed Building (no.155 Maplewell Road) a gentleman’s residence from the early 20th Century that reflects the Arts and Crafts style is also located directly opposite the site. Whilst the windows on the east and south elevations overlook its gardens, there are a number of windows that overlook the site itself. Whilst the Inspector does not shy away from the level of harm this scheme at Woodhouse Eaves is likely to have on the character and appearance of its host landscape, he at no point considers the site to be a ‘valued landscape’ as defined by the NPPF, and ultimately concludes that the harm is outweighed by the housing need. I note that the immediate environs of the site (Cossington Road) are different to this appeal and its circumstances. The whole site (Cossington Road) is framed by infrastructure, housing to the west and north, the mainline railway line to the east, built farm complex and plant nursery to the south. There is little evidence that these adjacent areas could be regarded as being elevated out of the ordinary.

5.14 In terms of **perceptual aspects**, a landscape may be valued for its perceptual qualities, notably rural character, wildness and/or tranquillity. The site (Cossington Road) does not exhibit any perceptual qualities in terms of wildness or tranquillity given the close proximity of the adjacent highway, mainline railway, and residential area, given its peri-urban context.

5.15 In terms of **associations**, the site (Cossington Road) is not associated with particular people, such as artists or writers or events in history that contribute to the perceptions of the site (Cossington Road).

5.16 When considering these various factors 'in the round', in reality, this particular parcel of land does not exhibit any material evidence to indicate this field is a 'valued' landscape as per the Framework.

Assessing Landscape Value outside National Designations - Technical Guidance Note 02/21 (TGN 02/21) (Appendix 7)

5.17 This Technical Guidance Note provides guidance concerning judgements about the value of a landscape. It identifies a number of criteria as factors to be considered when determining the value of landscapes and indicators that could be considered and is intended to compliment GLVIA3 box 5.1. This document sets out a range of factors as follows:

- Natural heritage
- Cultural heritage
- Landscape condition
- Associations
- Distinctiveness
- Recreational perceptual (scenic)
- Perceptual (wildness and tranquillity)
- Functional

5.18 I comment on each of these here, mindful that this analysis significantly duplicates my analysis concerning box 5.1 in the section above.

- 5.19 Within the TGN 02/21 **Natural heritage** is defined as “**Landscape with clear evidence of ecological, geological, geomorphological or physiographic interest which contribute positively to the landscape**”. The table at paragraph A2.4.1 (TGN 02/21) defines Physiographic as “**Geology, soils, relief/landform, land use, vegetation, ecological habitats, natural history/wildlife, archaeology, artefacts – buildings, walls.**” The site (Cossington Road) is located within an LCA which is defined by the River Soar, it's wide river floodplain and the infrastructure, transport networks, engineering embankments, former gravel pits located within it; and the areas of built development on the rising valley sides. Whilst the LCA is noted as being one of the most urbanised areas of Charnwood Borough, paragraph 7.48 of the published assessment describes it as one of the more varied LCA's within Charnwood. The site (Cossington Road) is typical of the LCA in so far that it is currently used for agriculture and is located on a gently sloping valley side. However, neither of these characteristics are considered to be rare within the LCA. In terms of its ecological value, as noted above the farmed landscape of the site (Cossington Road) has limited ecological habitats. However, the site (Cossington Road) does not contain or is located adjacent to any of the Special Sites of Scientific Interest (SSSI), or Local Wildlife Sites listed within the LCA assessment.
- 5.20 **Cultural heritage** is defined within the TGN 02/21 as “**Landscape with clear evidence of archaeological, historical or cultural interest which contribute positively to the landscape**”. Examples of indicators of landscape value are listed as including: the presence of landmark structures of designed landscapes; the presence of historic parks and gardens, and designed landscapes; a landscape which contributes to the significance of heritage assets, for example forming the setting of heritage assets and; a landscape which offers a dimension of time depth (such as natural time-depth – the presence of peat bogs, and cultural time-depth – the presence of relic farmsteads, ruins, historic field patterns, historic rights of way ect.) There is no clear evidence of archaeological or cultural interest with regard to the site (Cossington Road). However, as noted above the house and barns at Brook Farm are Locally Listed Buildings.
- 5.21 **Landscape condition** – as noted above the landscape of the site (Cossington Road) is considered to be in a moderate condition. Whilst the eastern and southern boundaries of the site (Cossington Road) are generally intact,

vegetation along the northern and western boundaries is sporadic and lacks structure. The site (Cossington Road) has been subject to historic field boundary removal to such an extent that what remains is a relatively bleak, and unremarkable landscape, devoid of any character-defining landscape elements – unlike other areas within the LCA.

- 5.22 **Associations** – the landscape within the site (Cossington Road) is not connected with any notable people, events or the arts that would contribute to the perceptions of the landscape.
- 5.23 **Distinctiveness** – the site (Cossington Road) is considered to be quite unremarkable or, rare or unusual landscape features to give the site (Cossington Road) a strong sense of place or identity.
- 5.24 **Recreational** – the site (Cossington Road) currently has no recreational value. There are no PRoW within the site (Cossington Road) which is maintained as private farmland without any public access.
- 5.25 **Perceptual (scenic)** – the site (Cossington Road) is located adjacent to the existing settlement edge of Sileby, bound by Cossington Road and the associated ribbon development to the west and the mainline railway to the east. These factors heavily influence any scenic value that may be attributed to the site (Cossington Road). The site (Cossington Road) also does not exhibit any of the indicators of landscape value, listed in Table 1 on page 10 of TGN 02/21.
- 5.26 Under the category of **Perceptual (wildness and tranquillity)** is defined as a **“Landscape with a strong perceptual value notably wildness, tranquillity and/or dark skies”**. As noted above the site’s (Cossington Road) proximity to Sileby, Cossington Road and the mainline railway all limit the level of tranquillity and wilderness. The street and residential lighting associated with Sileby, and Cossington Road are anticipated to cause a level of light spill and also influence the dark night skies. The site (Cossington Road) is a peri-urban environment.
- 5.27 Under the category Functional, is defined as a **“Landscape which performs a clearly identifiable and valuable function, particularly in the healthy functioning of the landscape.”** Whilst areas of diverse land cover are listed as a potential indicator in relation to benefits of pest regulation, which could be applicable to the site (Cossington Road). None of the other examples listed such as: natural hydrological systems/floodplains, areas of undisturbed and healthy

soils, pollinator-rich habitats such as wildflower meadows and, areas that form an important part of a multifunctional Green Infrastructure network ect. – are considered relevant. The site (Cossington Road) is one arable field, closely framed by the mainline railway, main road, housing, and plant nursery.

- 5.28 Having considered these criteria in the round, I consider that the site (Cossington Road) cannot be considered a valued landscape in NPPF terms.

Demonstrable Physical Attributes

- 5.29 A further benchmark to apply with regard to the concept of value is with respect to Justice Ouseley’s Stroud judgement¹ decision concerning ‘valued landscapes’ with reference to demonstrable physical attributes. Whilst Justice Ouseley upheld that the Inspectors decision in the Stroud case was lawful in using this test of whether a site contains demonstrable physical attributes. In the later case of the Aylesbury Vale judgement²; Justice Ouseley noted that the formulation used in the Stroud judgement wasn’t intended to establish a particular freestanding test, and that one way that landscape could be valued was if it was part of a wider landscape which was itself valued. Justice Ouseley stated that it was better to undertake the assessment in two stages; for example, does the site have demonstrable physical attributes, and if not is it an integral part of a wider landscape that could be described as ‘valued’.
- 5.30 At the Nanpantan Road, Loughborough appeal (CD7.14) much of the value that the Inspector attributes to the appeal site is based on its wider setting and the value it ‘borrows’ from the Charnwood Forest. Paragraph 22 in the decision is helpful in underlining this relationship with the Forest, and how the site forms part of its setting. It is clear that it is actually the Forest and the appreciation of this asset and how it is perceived that that important. The Inspector then goes on in paragraph 23 to describe how the development would obscure the view out towards the Outwoods and Jubilee Woods which both fall within Charnwood Forest. I note that the site (Cossington Road) does not share this relationship with Charnwood Forest, or any other important or valued landscape asset locally.
- 5.31 Furthermore, at the site level, there are no demonstrable physical attributes that relate to the site (Cossington Road). The site (Cossington Road) lies on the edge

¹ Stroud District Council v Secretary of State for Communities and Local Government [2015] EWHC 488 (Admin)

² CEG Land Promotions II Ltd v Secretary of State for Housing, Communities and Local Government [2018] EWHC 1799 (Admin)

of a settlement with its landscape context heavily visually influenced by the adjacent existing built form and infrastructure. This is most apparent in close range views from the site (Cossington Road) itself. The site (Cossington Road) is also not considered to be an integral part of the wider landscape given its significant containment by infrastructure.

5.32 Having considered the criteria in terms of the parameters with respect to GLVIA box 5.1 and having had regard to demonstrable physical attributes it is my professional judgement that the site (Cossington Road) is not a 'valued landscape' in the meaning of the Framework.

5.33 I have assessed the site (Cossington Road) both against box 5.1 and the Technical Guidance Note 2/21 for my own analysis to determine whether I consider the site (Cossington Road) as a valued landscape or otherwise. I note that the site (Cossington Road) does not have any 'demonstrable physical attributes' to take it out of the ordinary. I do not consider the site (Cossington Road) to constitute a valued landscape.

APPENDIX 1



Illustrative Masterplan
Scale 1:1250



Contextual Masterplan
Scale 1:2500

Key

- | | | |
|--|---|--|
| Site boundary (approximately 10.17 hectares) | Proposed highway access | Proposed open space laid out as species rich meadow grassland |
| Existing settlement | Proposed features junctions | Proposed bound gravel cycleway/footpath access |
| Existing tree cover | Proposed lanes and private drives | Proposed mown pathway |
| Existing watercourse | Proposed on-plot tree planting measures | Proposed Locally Equipped Area for Play (LEAP) |
| Approximate extent of Flood Zones 2 and 3 | Proposed structural tree planting measures | Proposed Trim Trail fitness station (TT) |
| Existing public rights of way | Proposed native buffer planting | Existing tree cover and proposed landscaping to be retained and maintained under long-term management with Ash trees replaced as necessary with suitable native species, and Leylandii replaced on a phased basis with more appropriate native buffer planting measures. |
| Up to 170 proposed dwellings at an average density of approximately 35 dwellings per hectare | Proposed attenuation ponds laid out as wet meadow grassland | |

Rev. C 01/02/2022 - Revised to amended Bufferline layout based showing up to 170 dwellings
Rev. B 01/12/2021 - Note approving to the reinforcement of the existing watercourse management of vegetation at southern
Rev. A 11/06/2021 - Amended to show the reinstatement of the historic hedgerow alignment identified on the 1884 Ordnance Survey map

Project
Cossington Road, Sileby

Drawing title
Illustrative Masterplan

Client
David Wilson Homes East Midlands

Scale
1:1250 @ A0

Date
27/11/2020

Checked
SG

Number/Date
GL1400 13C

APPENDIX 2



Project
Cossington Road, Sileby

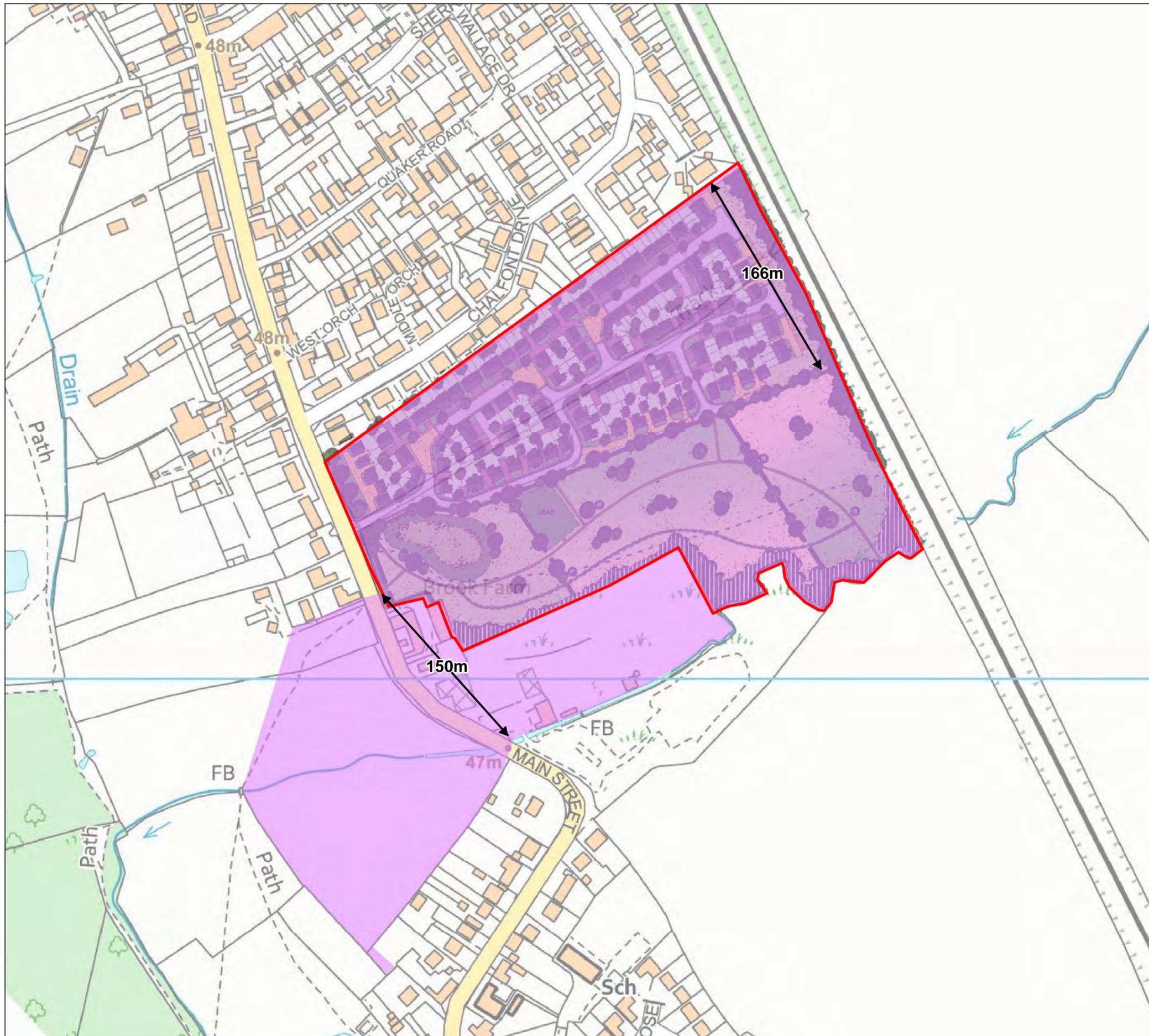
Drawing title
Illustrative Masterplan
Plot Numbers

Client
David Wilson Homes East Midlands

Scale 1:500 @ A0	Checked SG
Date 02/02/2022	Number/Revision GL1400 17



APPENDIX 3



KEY

- Site Boundary
- Area of Local Separation

Revisions:
First Issue- 04/03/2022 AD

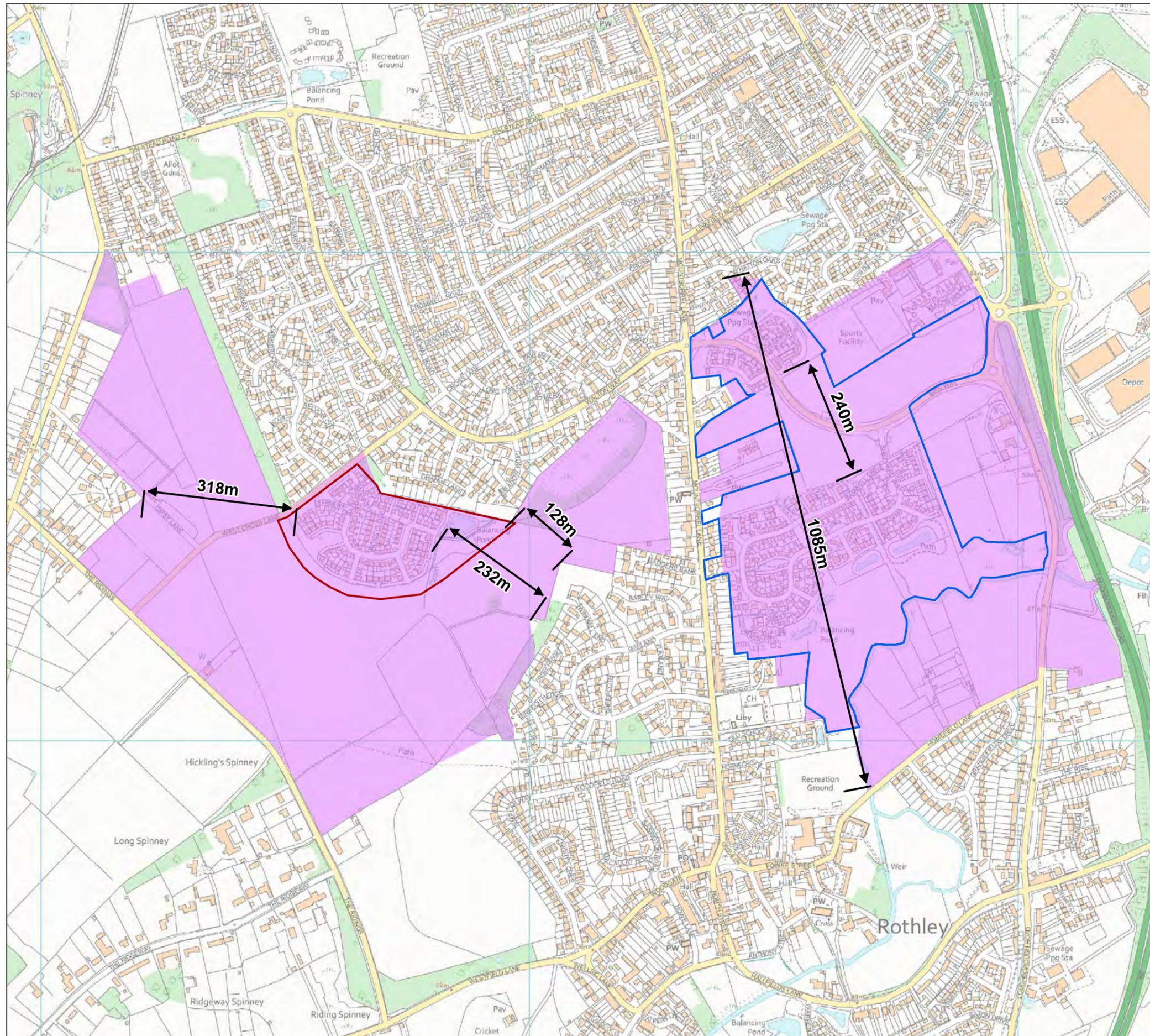
**Area of Local Separation (ALS)
ALS-D**

Land at Cossington Road

Client: BDW Trading Limited
 DRWG No: **P22-0187_EN_0003** REV: -
 Drawn by: AD Approved by: AC
 Date: 04/03/2022
 Scale: 1:3,000 @ A3



APPENDIX 4



KEY

- Land off Mountsorrel Lane, Rothley (P/12/2005/2 and P/12/2456/2)
- Land at West Cross Lane, Mountsorrel (P/14/0058/2)
- Area of Local Separation

Revisions:
First Issue- 04/03/2022 AD

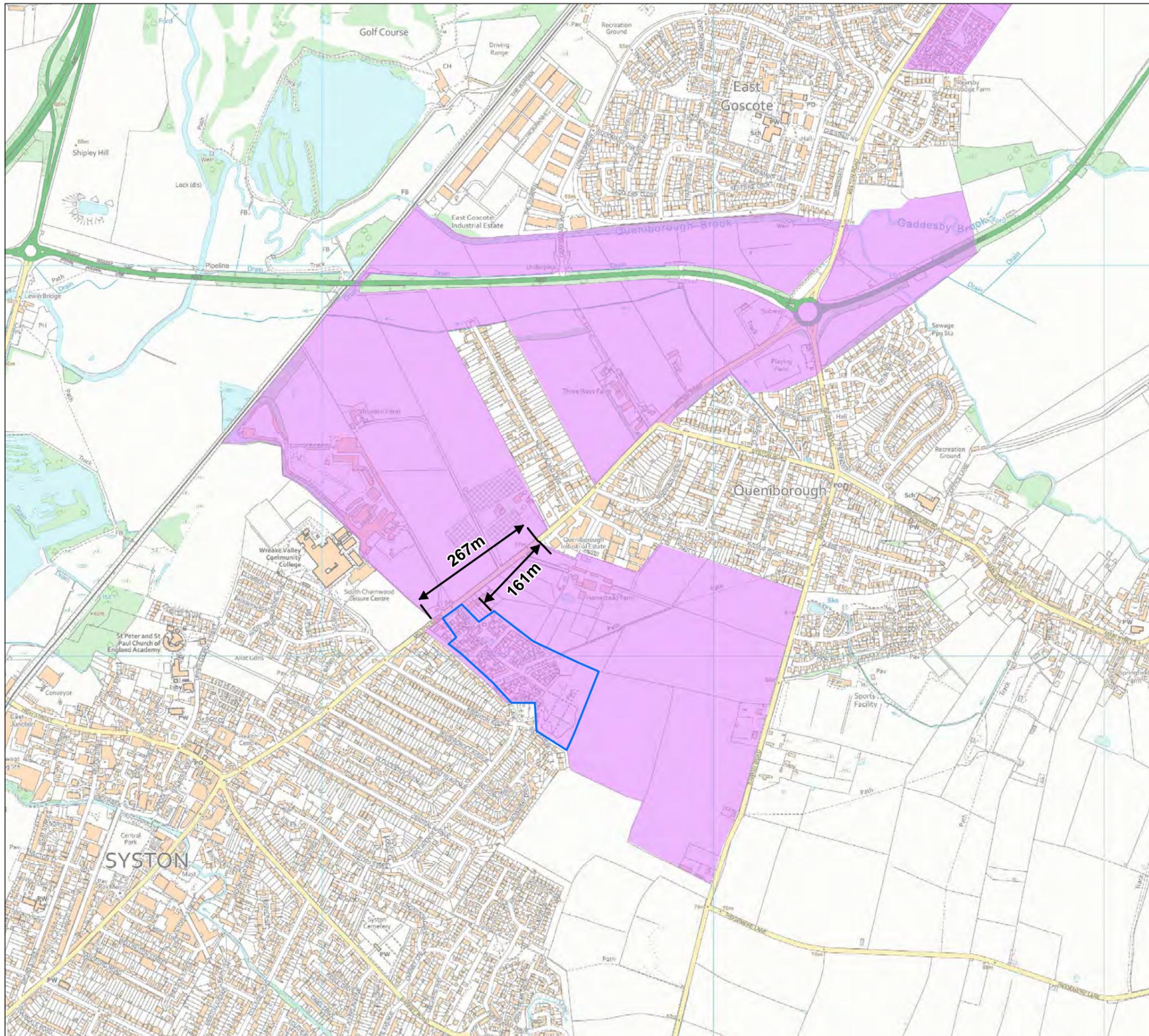
**Area of Local Separation (ALS)
ALS-C**

Land at Cossington Road

Client: BDW Trading Limited
 DRWG No: **P22-0187_EN_0004** REV: -
 Drawn by: AD Approved by: AC
 Date: 04/03/2022
 Scale: 1:8,000 @ A3



APPENDIX 5



KEY

- Land off Millstone Lane, Queniborough (P/14/0393/2)
- Area of Local Separation

Revisions:
First Issue- 04/03/2022 AD

**Area of Local Separation (ALS)
ALS-J**

Land at Cossington Road

Client: BDW Trading Limited
 DRWG No: **P22-0187_EN_0005** REV: -
 Drawn by: AD Approved by: AC
 Date: 04/03/2022
 Scale: 1:10,000 @ A3



APPENDIX 6

APPENDIX 7

Assessing landscape value outside national designations



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Acknowledgements

This technical guidance note (TGN) has been authored, on behalf of the Landscape Institute, by:

- Rebecca Knight CMLI (LUC), Chair
- Kate Bailey CMLI, MRTPI (retired), LI Trustee
- Michelle Bolger CMLI (MBELC)
- Jeremy Smith CMLI (SLR).

The author group worked in close consultation with a working group comprising:

- David Vose and Susannah England (Natural England)
- Jill Bullen FLI and John Briggs CMLI (Natural Resources Wales)
- Laura Campbell CMLI MRTPI and Simon Brooks (Nature Scot)
- Neil Rainey CMLI (Department of Agriculture, Environment and Rural Affairs for Northern Ireland)
- Jonathan Billingsley CMLI (The Landscape Partnership)
- Melanie Croll CMLI (Devon County Council)
- Joanna Ede CMLI (Turley)
- Alison Farmer CMLI (Alison Farmer Associates)
- Mary O'Connor FLI
- Professor Carys Swanwick HFLI
- Carly Tinkler CMLI (Landscape, Environmental and Colour Consultancy)

Feedback on an early draft was also received from David Smith (Professional Lead - Planning Appeals, The Planning Inspectorate), Helen Slade (former Planning Inspectorate Public Rights of Way Inspector), Sasha White QC, Dr Ashley Bowes and the Landscape Institute's Technical Committee.

A draft was produced in January 2021 for consultation via the Landscape Institute's website.

The co-authors of this TGN are very appreciative of the many thoughtful comments provided by the working group and the constructive responses received from the wider LI membership during the consultation period, all of which have informed this version of the TGN.

Photo acknowledgements:

- Font cover: Pensford Viaduct viewed across the rural landscape of Bath and North East Somerset, credit LUC.
- Appendices cover: River Findhorn, Strathdearn, credit LUC.





1 Introduction

1.1 Purpose, aims and objectives

1.1.1 This technical guidance note (TGN) provides information and guidance¹ to landscape professionals and others who need to make judgments about the value of a landscape (outside national landscape designations²) in the context of the UK Town and Country Planning system. It is also intended to be of assistance to those who review these judgements, so that there is a common understanding of the approach.

1.1.2 Although the discussion that led to the drafting of this document was prompted by a need to interpret the (England) National Planning Policy Framework February 2019 (NPPF) term ‘valued landscape’, the main body of this TGN is intended to be independent of national policy, which differs across the four nations of the UK.

1.2 Structure

1.2.1 In Part 2, this TGN:

- *identifies the stages in the planning process at which landscape value might be assessed;*
- *reviews the tools available to enable practitioners to assess landscape value; and*
- *presents a list of factors that could be considered when identifying landscape value.*

1.2.2 Appendices provide:

- *a summary of historical background and context;*
- *a summary of the evolution of factors used to describe landscape value;*
- *a summary of policies and guidance relating to designated landscapes in the four nations of the UK;*
- *the Landscape Institute’s understanding of the term ‘valued landscape’ as it is used in the context of the (England) NPPF; and*
- *an analysis of planning decisions and judgements concerned with the [England] NPPF term ‘valued landscape’.*

1.3 Context and relationship to existing UK guidance

1.3.1 The TGN does not seek to provide an evaluative methodology that would replace those provided by other established advisory documents. It is intended to supplement existing advice to practitioners, such as guidance on Landscape Character Assessment and Landscape Sensitivity Assessment (Natural England, NatureScot, Natural Resources Wales, Marine Management Organisation), Local Landscape Designation (NatureScot, Natural Resources Wales) and Landscape and Visual Impact Assessment (the Landscape Institute and Institute of Environmental Management and Assessment). The TGN acknowledges and reflects all these important sources of guidance.

1.3.2 Although the history of how we value landscape is closely related to the concept of ‘natural beauty’ (summarised in **Appendix A2**), it is not the purpose of this document to define the expression ‘natural beauty’ and this TGN does not apply to national landscape designations.

¹ Some parts of the note are for information, some parts supplement existing guidance and other parts (e.g. **Appendix A4**) provide new guidance.

² Designation of nationally important landscapes is a matter for government and its agencies, some of whom have prepared technical guidance.



1.3.3 There is a difference between landscape value and the wider topic of environment value. For example, the assessment of Ecosystem Services (which combines quantitative and qualitative information) and Natural Capital Accounting (a quantitative approach) are two approaches to valuing the environment, of which landscape forms an important part. More information about these approaches can be found in the following LI Technical Information Notes (TIN):

- [TIN 02/2016](#) - *Ecosystem Services*;
- [TIN 02/2018](#) - *Natural Capital Accounting*.

1.4 Potential future revisions

1.4.1 Landscape offers multiple values, benefits and services and the way in which landscapes are valued by people is a dynamic process that can change over time. The landscape profession's understanding of landscape value is still evolving, particularly in light of the nature and climate emergency. This TGN is the Landscape Institute's current reflection on the subject of landscape value.

1.4.2 The wide range of comments on the consultation draft document suggested that further guidance would be welcome, including:

- *how the landscape design process can respond to value assessments;*
- *how value can be expressed in local plan policy;*
- *how the increased emphasis on 'beauty' in Government papers (in England) relates to landscape value; and*
- *how to interpret value in relation to other aspects of England's NPPF such as Local Green Spaces.*

1.4.3 It has not been possible to address all these as part of this TGN, although they could form topics for future TGNs.

1.4.4 This TGN is written in the context of current policy guidance and evaluation factors that have evolved since 1945 (see **Appendices A1** and **A2**). The LI is committed to equity, diversity and inclusion within the landscape profession and emerging sources of 'evidence' of value, for example from social data, will feed into future revisions to this TGN.



2 Tools to enable practitioners to assess landscape value

This TGN uses the following definitions:

Landscape qualities = characteristics/ features of a landscape that are valued

This term is being used to distinguish landscape qualities from landscape characteristics which are elements, or combinations of elements, which make a particular contribution to landscape character. Landscape qualities (in the sense meant in this TGN) are usually referred to as 'special qualities' or 'special landscape qualities' in relation to nationally designated landscapes. For example, 'special qualities' is a statutory expression used in relation to National Parks, in policy for Scotland's local landscape designations, and is a term used informally to describe components of natural beauty set out in AONB Management Plans³.

Landscape value = the relative value or importance attached to different landscapes by society on account of their landscape qualities (see Table 1).

The definition of landscape value used in this TGN draws on, and is compatible with, the [GLVIA3](#) definition of landscape value as well as Natural England's [definition](#) (Landscape Institute and Institute of Environmental Management & Assessment, 2013; Tudor, 2014). The definition makes it clear that it is 'society' that assigns value to landscapes. However, landscape value means more than popularity and the Landscape Institute suggests that value assessments should be undertaken by a landscape professional, drawing on evidence from stakeholders where available.

2.1 Introduction

2.1.1 Assessments of landscape value (for landscapes which are outside, and not candidates for, national designation) may be required at different stages of the planning process, for example:

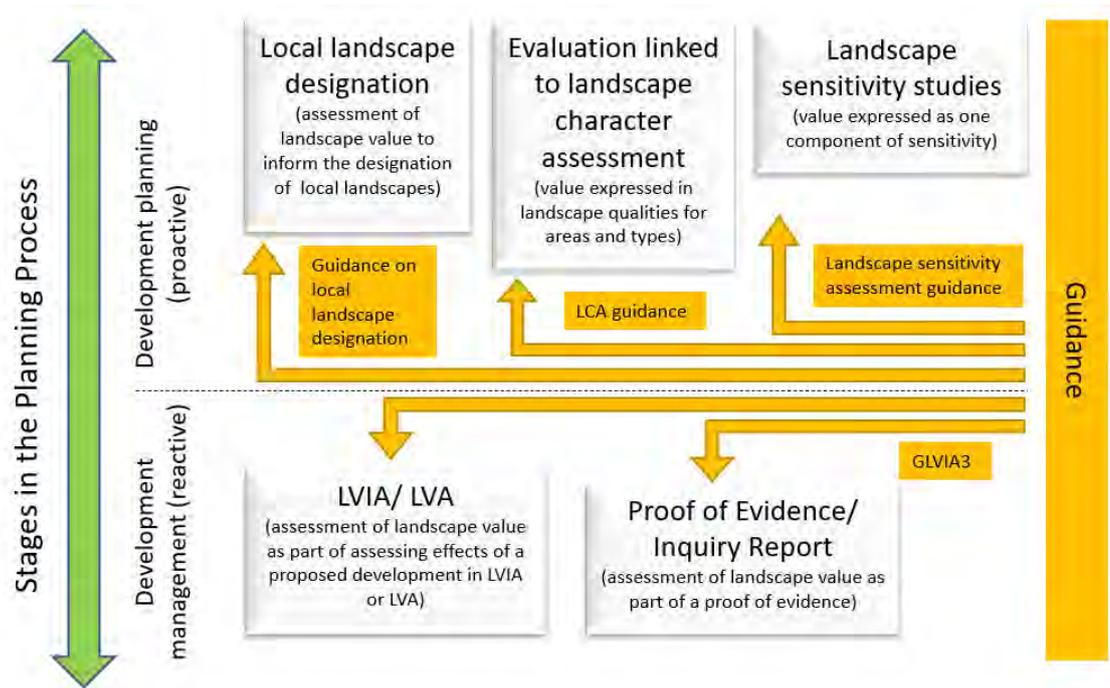
- *Local planning authorities (LPAs), neighbourhood planning groups and other parties at the evidence-gathering and plan-making stages;*
- *LPAs, applicants/appellants and others considering a site on which future development or other form of change is proposed, usually at the planning application or appeal stage.*

2.1.2 These scenarios are shown by **Figure 1**, along with the type of guidance that might feed in.

³ National Parks are UK-wide. AONBs are found in England, Wales and Northern Ireland, and NSAs are unique to Scotland.



Figure 1: Assessing landscape value at different stages of the planning process



2.2 Assessing landscape value as part of plan making (development planning)

2.2.1 Landscape value at the local authority or neighbourhood level can be assessed and mapped spatially, i.e. through identifying areas for local landscape designation. Studies to support spatial designations should identify the landscape qualities of each area of landscape proposed for designation.

2.2.2 Landscape value can be assessed as an evaluation stage of a landscape character assessment or as a follow-on study. In this case landscape qualities will be identified in relation to individual character areas or types. Currently these are commonly described as ‘valued landscape characteristics’ or ‘landscape qualities’.

2.2.3 Landscape value can also be assessed as part of a landscape sensitivity study, as landscape value is one of the two components of landscape sensitivity (the other being susceptibility). The areas to be assessed will depend on the purpose of the study.

2.2.4 The LI supports all approaches as they are all capable of highlighting the particular aspects of a landscape that are valued. Where value has been placed on a landscape by the local planning authority, this should ideally be defined in the development plan documents. Where value is not defined in the development plan, evaluations undertaken by local planning authorities and neighbourhood planning groups still form part of the evidence base.

Local landscape designations: the spatial approach

2.2.5 Although the guidance in this note is independent of policy, it is worth noting that different parts of the UK currently have different policy approaches to local landscape designations, as described in **Appendix A3**. Local landscape designation is supported by national policy in Scotland, Wales and Northern Ireland, but across England local landscape designations have been inconsistently applied due to past changes of emphasis in national planning guidance. Therefore, the absence of local landscape designations in England does not necessarily indicate there are no landscapes worthy of local designation. Additionally, in all nations, the lack of designation does not mean that a landscape has no value.

2.2.6 Guidance on how to identify local landscape designations has been produced in Scotland and Wales. This TGN is intended to support the approach set out in these guidance documents:



- *NatureScot and Historic Environment Scotland (2020) have jointly produced guidance on designating Local Landscape Areas (LLAs) in Scotland which is intended primarily for local authorities to use in taking forward their own designation process. The guidance acknowledges that local landscape designations are a valuable tool in the development plan toolbox and outlines the process for designating new LLAs and refreshing existing designations, noting that ‘designations do not mean other places are unimportant or not valued’ (paragraph 1.16).*
- *NRW has published LANDMAP Guidance Note 1: LANDMAP and Special Landscape Areas (2017)⁴ which sets out an approach for defining Special Landscape Areas in Wales using LANDMAP⁵ information. These areas may be designated for ‘their intrinsic physical, environmental, visual, cultural and historical importance, which may be considered unique, exceptional or distinctive to the local area’ and they should be ‘important for their distinctive character, qualities and sense of place’.*

2.2.7 The guidance produced by NatureScot and NRW may be helpful for other nations that do not have their own guidance.

2.2.8 Where local designations are used, the identification of their spatial boundaries and their landscape qualities should be supported by evidence.

2.2.9 **Table 1** of this TGN sets out a range of factors that could be considered to define the value of a landscape⁶ and to inform the designation process. These factors are intended to be consistent with the factors set out in existing guidance in relation to local landscape designations in Scotland and Wales, as well as guidance in relation to national landscape designations (e.g. guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England). However, they are not intended to be an exhaustive list.

2.2.10 Stakeholder engagement and early collaboration with local communities will add depth to the assessment by helping the landscape professional to understand what people value about the local landscape. Community engagement should be encouraged whenever practicable in line with existing planning guidance.

Evaluative studies linked to landscape character assessment

2.2.11 The guidance on Landscape Character Assessment (The Countryside Agency and Scottish National Heritage, 2002), which is still in use in Scotland, acknowledges that ‘most assessments will usually move beyond the characterisation stage to the stage of making judgements to inform particular decisions’⁷. Natural England’s 2014 document, which replaced the 2002 guidance in England, also notes that landscape character assessment can be used to identify special qualities and inform judgements (Tudor, 2014). These evaluative studies can be undertaken as an extension to a landscape character assessment, or as a separate follow-on study. Such studies can include the identification of landscape qualities that contribute to the value of landscape areas or types⁸. **Table 1** of this TGN sets out a range of factors that could be considered as part of the process.

2.2.12 In these types of assessments, information from stakeholders (where available) about what is valued should inform the landscape professional’s consideration of landscape value.

Landscape sensitivity studies

2.2.13 Landscape value is assessed as one of the two components of landscape sensitivity in strategic landscape sensitivity assessments. As explained in [Natural England’s An Approach to Landscape Sensitivity Assessment – to Inform Spatial Planning and Land Management](#) (Tudor, 2019), landscape

⁴ <https://naturalresources.wales/media/680613/landmap-guidance-note-1-landmap-slas-2017.pdf>
<https://gov.wales/sites/default/files/publications/2018-12/planning-policy-wales-edition-10.pdf>

⁵ LANDMAP is an all-Wales landscape resource where landscape characteristics, qualities and influences on the landscape are recorded and evaluated.

⁶ It should be noted that designation is a process that may include factors other than landscape value.

⁷ This is a two-stage process with the landscape character assessment being separate from subsequent assessments of value or sensitivity.

⁸ It should be noted that, in Wales, LANDMAP already includes a range of criteria-based evaluations relating to the landscape.



sensitivity combines judgements about the susceptibility to the specific development type/development scenario or other change being considered together with the value(s) related to that landscape and visual resource.

2.2.14 Existing guidance on landscape sensitivity assessment should be followed where available. In addition to the guidance from Natural England above, Natural Resources Wales and NatureScot are also preparing guidance documents for Wales and Scotland which should be available soon. The Marine Management Organisation (MMO) has also published guidance on seascape sensitivity assessment (see further reading). The factors in **Table 1** of this TGN may be helpful to consider as part of the process of landscape sensitivity assessment.

2.3 Assessing landscape value of a site in its context (as part of development management)

2.3.1 The landscape value of a site in its context needs to be assessed as part of carrying out a Landscape and Visual Impact Assessment (LVIA) or Landscape and Visual Appraisal (LVA)⁹. Most commonly this will be as part of the assessment of a development proposal (for a planning application or appeal). The current guidance for LVIA/LVA is the third edition of *Guidelines for Landscape and Visual Impact Assessment* (GLVIA3; LI and IEMA, 2013) which states that the value of a landscape should be assessed as one of two components of landscape sensitivity¹⁰. Landscape value is the ‘inherent’ component, which is independent of the development proposal, while the other component, susceptibility, is development specific.

2.3.2 GLVIA3 recognises that landscape value is not always signified by designation: ‘the fact that an area of landscape is not designated either nationally or locally does not mean that it does not have any value’ (paragraph **5.26**). GLVIA3 recommends that when undertaking a LVIA/LVA in an undesignated area, landscape value should be determined through a review of existing assessments, policies, strategies and guidelines and, where appropriate, by new survey and analysis (paragraphs **5.27** and **5.28**). It is recommended that the process for identifying landscape value outside nationally designated areas is based upon a structured and transparent assessment process including community-based evidence where practical to do so.

2.3.3 The list of factors set out in Box 5.1 on page **84** of GLVIA3, which is a slightly modified form of the list of criteria from the 2002 landscape character assessment guidance, is described as an example of ‘the range of factors that can help in the identification of valued landscapes’. It should be noted that they are not comprehensive nor intended to be prescriptive. Nevertheless, ‘Box 5.1’ has been widely used to inform judgements about landscape value as part of LVIA/LVA in the planning process.

2.3.4 Since GLVIA3 was published in 2013, appeal decisions, high court judgements and practitioners’ experience have provided further information about the factors which can be considered in assessing landscape value outside nationally designated landscapes. These have been incorporated into **Table 1** of this TGN.

2.4 Range of factors that can be considered when identifying landscape value

2.4.1 **Table 1** sets out a range of factors that can be considered when identifying landscape value in any of the contexts described above. It also includes examples of potential indicators of value.

2.4.2 This broadly presents the same factors as Box 5.1 from GLVIA3 (and the 2002 Landscape Character Assessment Guidance), with the following changes:

- ‘*Conservation interests*’ is separated into *natural heritage* and *cultural heritage* factors (reflecting the approach in NatureScot’s guidance on local landscape designations and Natural England’s

⁹ Landscape and Visual Impact Assessments (LVIA) form part of an Environmental Impact Assessment (EIA). Landscape and Visual Appraisals (LVA) are standalone assessments.

¹⁰ This is consistent with the approach set out in Tudor (2019).



Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England);

- The term 'landscape condition' is used in place of 'landscape quality (condition)';
- 'Rarity' and 'representativeness' are combined into a newly-named factor 'distinctiveness'; and
- A new factor, 'function' is included which addresses the value attached to landscapes which perform a clearly identifiable and valuable function.

2.4.3 It should be noted that the factors are not presented in order of importance.

2.4.4 As with Box 5.1 in GLVIA3, **Table 1** is not intended to be an exhaustive list of factors to be considered when determining the value of landscapes, but to provide a range of factors and indicators that could be considered. This TGN is intended to be complementary to GLVIA3.

Table 1: Range of factors that can be considered when identifying landscape value

Factor	Definition	Examples ¹¹ of indicators of landscape value	Examples of evidence ¹²
Natural heritage	Landscape with clear evidence of ecological, geological, geomorphological or physiographic interest which contribute positively to the landscape	<p>Presence of wildlife and habitats of ecological interest that contribute to sense of place</p> <p>Extent and survival of semi-natural habitat that is characteristic of the landscape type</p> <p>Presence of distinctive geological, geomorphological or pedological features</p> <p>Landscape which contains valued natural capital assets that contribute to ecosystem services, for example distinctive ecological communities and habitats that form the basis of ecological networks</p> <p>Landscape which makes an identified contribution to a nature recovery/ green infrastructure network</p>	<p>Landscape character assessment</p> <p>LANDMAP Geological Landscape and Landscape Habitats Aspects (in Wales)</p> <p>Ecological and geological designations</p> <p>SSSI citations and condition assessments</p> <p>Geological Conservation Review</p> <p>Habitat surveys</p> <p>Priority habitats</p> <p>Nature recovery networks/ nature pathways</p> <p>Habitat network opportunity mapping/ green infrastructure mapping</p> <p>Catchment management plans</p> <p>Ecosystem services assessment/ schemes</p> <p>Specialist ecological studies</p>
Cultural heritage	Landscape with clear evidence of archaeological, historical or	Presence of historic landmark structures or designed landscape elements (e.g. follies,	Landscape character assessment

¹¹ These examples are not exhaustive.

¹² Evidence may be set out in development plans (or evidence that sits alongside development plans). Online mapping may also provide useful information (see 'useful data links' at the end of this TGN).



Factor	Definition	Examples ¹¹ of indicators of landscape value	Examples of evidence ¹²
	cultural interest which contribute positively to the landscape	<p>monuments, avenues, tree roundels)</p> <p>Presence of historic parks and gardens, and designed landscapes</p> <p>Landscape which contributes to the significance of heritage assets, for example forming the setting of heritage assets (especially if identified in specialist studies)</p> <p>Landscape which offers a dimension of time depth. This includes natural time depth, e.g. presence of features such as glaciers and peat bogs and cultural time depth e.g. presence of relic farmsteads, ruins, historic field patterns, historic rights of way (e.g. drove roads, salt ways, tracks associated with past industrial activity)</p>	<p>LANDMAP Historic Landscape and Cultural Landscape Services Aspect (in Wales)</p> <p>Historic environment and archaeological designations</p> <p>Conservation Area appraisals, Village Design Statements</p> <p>Historic maps</p> <p>Historic landscape character assessments¹³ Historic Land Use Assessment¹⁴ and Historic Area Assessments¹⁵</p> <p>Place names</p> <p>Specialist heritage studies</p>
Landscape condition	Landscape which is in a good physical state both with regard to individual elements and overall landscape structure	<p>Good physical condition/ intactness of individual landscape elements (e.g. walls, parkland, trees)</p> <p>Good health of elements such as good water quality, good soil health</p> <p>Strong landscape structure (e.g. intact historic field patterns)</p> <p>Absence of detracting/ incongruous features (or features are present but have little influence)</p>	<p>Landscape character assessment</p> <p>LANDMAP condition and trend questions (in Wales)</p> <p>Hedgerow/ tree surveys</p> <p>Observations about intactness/ condition made in the field by the assessor</p> <p>SSSI condition assessments</p> <p>Historic landscape character assessments/ map regression analysis</p>
Associations	Landscape which is connected with notable people, events and the arts	Associations with well-known literature, poetry, art, TV/film and music that contribute to perceptions of the landscape	<p>Information about arts and science relating to a place</p> <p>Historical accounts, cultural traditions and folklore</p>

¹³ Historic Landscape Characterisation has developed as a GIS mapping tool to capture how land use has changed and the 'time-depth' of the present-day landscape.

<https://historicengland.org.uk/research/methods/characterisation/historic-landscape-characterisation/>

¹⁴ Mapping of Scotland's Historic Landscape: <https://hllmap.org.uk/>

¹⁵ <https://historicengland.org.uk/images-books/publications/understanding-place-historic-area-assessments/>



Factor	Definition	Examples ¹¹ of indicators of landscape value	Examples of evidence ¹²
		<p>Associations with science or other technical achievements</p> <p>Links to a notable historical event</p> <p>Associations with a famous person or people</p>	<p>Guidebooks/ published cultural trails</p> <p>LANDMAP Cultural Landscape Services aspect (in Wales)</p>
Distinctiveness	Landscape that has a strong sense of identity	<p>Landscape character that has a strong sense of place (showing strength of expression of landscape characteristics)</p> <p>Presence of distinctive features which are identified as being characteristic of a particular place</p> <p>Presence of rare or unusual features, especially those that help to confer a strong sense of place or identity</p> <p>Landscape which makes an important contribution to the character or identity of a settlement</p> <p>Settlement gateways/approaches which provides a clear sense of arrival and contribute to the character of the settlement (may be ancient/historic)</p>	<p>Landscape character assessment</p> <p>LANDMAP Visual & Sensory question 3 and 25, – Historic Landscape question 4 (in Wales)</p> <p>Guidebooks</p> <p>Observations about identity/ distinctiveness made in the field by the assessor</p>
Recreational	Landscape offering recreational opportunities where experience of landscape is important	<p>Presence of open access land, common land and public rights of way (particularly National Trails, long distance trails, Coastal Paths and Core Paths) where appreciation of landscape is a feature</p> <p>Areas with good accessibility that provide opportunities for outdoor recreation and spiritual experience/ inspiration</p> <p>Presence of town and village greens</p> <p>Other physical evidence of recreational use where experience of landscape is important</p> <p>Landscape that forms part of a view that is important to the</p>	<p>Definitive public rights of way mapping/ OS map data</p> <p>National Trails, long distance trails, Coastal Paths, Core Paths</p> <p>Open access land (including registered common land)</p> <p>Database of registered town or village greens</p> <p>Visitor surveys/ studies</p> <p>Observations about recreational use/ enjoyment made in the field by the assessor</p>



Factor	Definition	Examples ¹¹ of indicators of landscape value	Examples of evidence ¹²
		enjoyment of a recreational activity	
Perceptual (Scenic)	Landscape that appeals to the senses, primarily the visual sense	<p>Distinctive features, or distinctive combinations of features, such as dramatic or striking landform or harmonious combinations of land cover</p> <p>Strong aesthetic qualities such as scale, form, colour and texture</p> <p>Presence of natural lines in the landscape (e.g. natural ridgelines, woodland edges, river corridors, coastal edges)</p> <p>Visual diversity or contrasts which contributes to the appreciation of the landscape</p> <p>Memorable/ distinctive views and landmarks, or landscape which contributes to distinctive views and landmarks</p>	<p>Landscape character assessment</p> <p>LANDMAP Visual and Sensory scenic quality question 46 (in Wales)</p> <p>Protected views, views studies</p> <p>Areas frequently photographed or used in images used for tourism/ visitor/ promotional purposes, or views described or praised in literature</p> <p>Observations about scenic qualities made in the field by the assessor</p> <p>Conservation Area Appraisals</p> <p>Village Design Statements, or similar</p>
Perceptual (Wildness and tranquillity)	Landscape with a strong perceptual value notably wildness, tranquillity and/or dark skies	<p>High levels of tranquillity or perceptions of tranquillity, including perceived links to nature, dark skies, presence of wildlife/ birdsong and relative peace and quiet¹⁶</p> <p>Presence of wild land and perceptions of relative wildness (resulting from a high degree of perceived naturalness¹⁷, rugged or otherwise challenging terrain, remoteness from public mechanised access and lack of modern artefacts)</p> <p>Sense of particular remoteness, seclusion or openness</p> <p>Dark night skies</p>	<p>Tranquillity mapping and factors which contribute to and detract from tranquillity</p> <p>Dark Skies mapping</p> <p>Wildness mapping, and Wild Land Areas in Scotland</p> <p>Land cover mapping</p> <p>Field survey</p> <p>LANDMAP Visual and Sensory Aspect</p>

¹⁶ More about tranquillity can be found in Landscape Institute Technical Information Note [01/2017](#) (Revised; Landscape Institute, 2017).

¹⁷ Relating to extensive semi-natural vegetation, presence of wildlife and presence of natural processes/ lack of human intervention.



Factor	Definition	Examples ¹¹ of indicators of landscape value	Examples of evidence ¹²
		A general absence of intrusive or inharmonious development, land uses, transport and lighting	
Functional	Landscape which performs a clearly identifiable and valuable function, particularly in the healthy functioning of the landscape	<p>Landscapes and landscape elements that contribute to the healthy functioning of the landscape, e.g. natural hydrological systems/ floodplains, areas of undisturbed and healthy soils, areas that form carbon sinks such as peat bogs, woodlands and oceans, areas of diverse landcover (benefits pest regulation), pollinator-rich habitats such as wildflower meadows</p> <p>Areas that form an important part of a multifunctional Green Infrastructure network</p> <p>Landscapes and landscape elements that have strong physical or functional links with an adjacent national landscape designation, or are important to the appreciation of the designated landscape and its special qualities</p>	<p>Land cover and habitat maps</p> <p>Ecosystem services assessments and mapping (particularly supporting and regulating services)</p> <p>Green infrastructure studies/strategies</p> <p>Development and management plans for nationally-designated landscapes, Local Plans and SPDs</p> <p>Landscape character assessments</p>

The practical application of factors in coming to a judgement on landscape value

2.4.5 The following bullet points provide some advice on the practical application of the factors in **Table 1**:

- *The factors to be considered are not fixed as they need to be appropriate to the particular project and location. It is recommended that the factors used to assess landscape value in a particular assessment are, where appropriate, discussed with the relevant planning authority or statutory consultees.*
- *The indicators of value should be reviewed on a case-by-case basis, taking into account what they contribute (positively or negatively) to a specific landscape. The relative importance to be attached to each indicator is likely to vary across different landscapes. Once evidence for each factor has been collated and assessed, it is important to step back and judge the overall ‘weight of evidence’ in coming to an overall judgement on landscape value.*
- *There are likely to be overlaps between the factors, as well as overlaps with other specialist studies for example in relation to natural and cultural factors. These overlaps should be acknowledged and considered when presenting conclusions on the overall value of the landscape.*
- *While condition/intactness of a landscape is one factor that can influence value, poor landscape management should not be a reason to deny a landscape a valued status if other factors indicate*



value. Deliberately neglecting an area of landscape and allowing its condition to deteriorate should not be allowed to diminish its value in a planning context.

- *When assessing landscape value of a site as part of a planning application or appeal it is important to consider not only the site itself and its features/elements/characteristics/qualities, but also their relationship with, and the role they play within, the site's context. Value is best appreciated at the scale at which a landscape is perceived – rarely is this on a field-by-field basis.*
- *Landscape function can influence value, but the presence of a spatial designation (e.g. Green Belt or Green Gap) is not in itself an indicator of high landscape value.*
- *The presentation of information about landscape value should be proportionate to the task at hand.*
- *Landscape value, and the way in which landscapes are valued by people, is a dynamic process, and can change over time. Any value assessment will be a snapshot in time.*



3 References and further reading

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Useful data links

England

<https://naturalengland-defra.opendata.arcgis.com/>

<https://www.gov.uk/right-of-way-open-access-land/access-private-land>

<https://magic.defra.gov.uk/>

Wales

www.naturalresources.wales/landmap

www.naturalresources.wales/landscape

<http://lle.gov.wales>

Scotland

Landscape Character Assessment <https://www.nature.scot/professional-advice/landscape/landscape-character-assessment> [the general LCA page; links from these pages include Coastal Characterisation guidance]

Local Landscape Areas guidance <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-areas/local-designations/local-landscape-areas>



Wild Land <https://www.nature.scot/professional-advice/landscape/landscape-policy-and-guidance/landscape-policy-wild-land>

Historic Land Use Assessment <https://hlamap.org.uk/>

Northern Ireland

<https://www.daera-ni.gov.uk/services/natural-environment-map-viewer>

<https://www.daera-ni.gov.uk/topics/land-and-landscapes/landscape-character-areas>

<https://www.daera-ni.gov.uk/articles/seascape-character-areas>



4 Glossary

Term	Definition
Aesthetics	Philosophical study of beauty and taste
Characteristics (landscape)	Elements, or combinations of elements, which make a particular contribution to distinctive character (An Approach to Landscape Character Assessment Natural England 2014)
Green infrastructure	The network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect villages, towns and cities. Individually, these elements are GI assets, and the roles that these assets play are GI functions (Green Infrastructure Landscape Institute Position Statement 2013)
Elements	Individual parts which make up the landscape, such as, for example, trees, hedges and buildings (GLVIA3)
Features	Particularly prominent or eye-catching elements, like tree clumps, church towers, or wooded skylines (from GLVIA3 and An Approach to Landscape Character Assessment 2014)
Landscape	An area as perceived by people whose character is the result of the action and interaction of natural and/or human factors (European Landscape Convention)
Landscape condition	A measure of the physical state of the landscape (including the intactness of the landscape structure and the condition of individual elements)
Landscape management	Action, from a perspective of sustainable development, to ensure the regular upkeep of a landscape, so as to guide and harmonise changes which are brought about by social, economic and environmental processes (European Landscape Convention)
Landscape planning	Strong forward-looking action to enhance, restore or create landscapes (European Landscape Convention) The development and application of strategies, policies and plans to create successful environments, in both urban and rural settings, for the benefit of current and future generations (Landscape Institute)
Landscape policy	An expression by the competent public authorities of general principles, strategies and guidelines that permit the taking of specific measures aimed at the protection, management and planning of landscapes (European Landscape Convention)
Landscape protection	Actions to conserve and maintain the significant or characteristic features of a landscape, justified by its heritage value derived from its natural configuration and/or from human activity (European Landscape Convention)
Landscape qualities	Characteristics/features of a landscape that have been identified as being valued



Term	Definition
	Landscape qualities are usually referred to as ‘special qualities’ or ‘special landscape qualities’ in relation to nationally designated landscapes or ‘wildness qualities’ in relation to Wild Land Areas.
Landscape value	The relative value or importance attached to different landscapes by society on account of their landscape qualities (see Table 1).
LVA	Landscape and visual appraisal
LVIA	Landscape and visual impact assessment
Natural beauty	<p>The term ‘natural beauty’ is enshrined in the 1949 National Parks and Access to the Countryside Act (it was also subsequently included in the Nature Conservation and Amenity Lands Order (NI) 1985), the Town and Country Planning (Scotland) Act 1997, and the Planning etc. (Scotland) Act 2006). Natural beauty is not exhaustively defined in the legislation, but its meaning has been clarified and interpreted through a series of studies, guidance documents and public inquiries (see ‘Further reading’).</p> <p><i>N.B. Since the term ‘natural beauty’ applies to national designation, it is not the purpose of this note to define it.</i></p>
Natural capital	The elements of nature that directly and indirectly produce value or benefits to people, including ecosystems, species, fresh water, land, minerals, the air and oceans, as well as natural processes and functions. (Natural Capital Committee, 2014)
Scenic quality	The extent to which the landscape appeals to the senses (primarily, but not only, the visual senses) (Landscape Character Assessment Guidance 2002)
Special qualities	<p>A statutory expression used in (amongst other places) sections 5 and 11A of the National Parks and Access to the Countryside Act 1949 (as amended), section 87 of the Countryside and Rights of Way Act 2000 and National Parks (Scotland) Act 2000 (although the term is not defined in legislation).</p> <p>Special qualities are defined by Nature Scot as ‘the characteristics that, individually or combined, give rise to an area’s outstanding scenery’</p>



Appendices



A1 (Appendix 1) Assessment of landscape value: a summary of historical background and context

A1.1.1 Land has always had a productive value for food and other natural resources, but our appreciation of the landscape has evolved over time. A summary is provided below.

A1.1.2 During the 17th century in Europe, an appreciation of landscape became closely linked to ideas about beauty and aesthetics. In the 18th–19th centuries influential artists writers and thinkers such as Turner, Ruskin, Wordsworth and others publicly described their appreciation of scenic qualities, landform, nature, vernacular architecture, traditional agriculture, tranquillity and wildness, raising awareness of these landscape qualities.

A1.1.3 From the 19th century, the value of access to natural landscapes for recreation and wellbeing was also recognised, partly as a response to industrialisation. The National Trust was the first organisation to use the term natural beauty. Originally called the National Trust for Places of Historic Interest or Natural Beauty, it was established in 1895.¹⁸ Its purpose, confirmed in the first National Trust Act passed in 1907, was ‘promoting the permanent preservation for the benefit of the nation of lands and tenements (including buildings) of beauty or historic interest and as regards lands for the preservation (so far as practicable) of their natural aspect features and animal and plant life’.¹⁹

A1.1.4 Pressure in the early decades of the 20th century resulted in the establishment of the Addison Committee in 1929 and in 1931 the Addison Report (see Ministry of Town and Country Planning, 1947) recommended the identification of national parks in England and Wales. However, it was the establishment of the National Parks Committee and the publication of the Dower report (Ministry of Town and Country Planning, 1945), the Ramsay Report (Department for Health for Scotland, 1945) and the Hobhouse Report (Ministry of Town and Country Planning, 1947) that finally led to the 1949 National Parks and Access to the Countryside Act. This Act established a National Parks Commission with the purpose of preserving and enhancing ‘natural beauty in England and Wales’, and particularly in the areas designated under this Act as National Parks or as ‘areas of outstanding natural beauty’, for encouraging the provision of ‘opportunities for open air recreation and the study of nature’.²⁰

A1.1.5 The 1949 Act did not define ‘natural beauty’, but since then its meaning has been debated and tested through a series of studies, guidance documents (see the section on ‘Further reading’), Secretary of State Decision letters, an Appeal Court judgement, and public inquiries. Some clarification has also been provided through legislative amendments to the 1949 Act, e.g. NERC Act 2006 Section 99. Following the 1949 Act national landscape designations were made in England and Wales following advice from experts who relied on criteria originally defined by Hobhouse (Ministry of Town and Country Planning, 1947) to assess the value of an area for its natural beauty and recreational opportunity. The first statutory designations in the UK were the Peak District and Lake District National Parks in England, and Snowdonia in Wales (all confirmed in 1951).²¹ This approach to assessing

¹⁸ For England, Wales and Northern Ireland. The National Trust for Scotland was established in Scotland in 1931.

¹⁹ National Trust Act 1907.

²⁰ National Parks and Access to the Countryside Act 1949.

²¹ Scotland passed the National Parks (Scotland) Act in 2000 and designated the Loch Lomond and the Trossacks National Park in 2002. Northern Ireland passed the Nature Conservation and Amenity Lands (Northern Ireland) Order in 1985 but has no designated National Parks at present, despite a proposal to designate the Mourne Mountains.



landscape value continued throughout the 1950s and 60s. **Appendix A3** provides a summary of current landscape designations within the UK.

A1.1.6 In the 1970s there were attempts to introduce a quantitative approach to assessing landscape value. These, along with other methods, were tested at the North Pennines AONB Public Inquiry in 1985. The inspector noted the lack of an agreed methodology to evaluating landscape, acknowledged that there was inevitably a degree of subjectivity, and recommended the use of informed opinion, a trained eye and common sense. The quantitative approach was generally considered inappropriate because it reduced complex concepts to a series of numerical values.

A1.1.7 In the 1980s a new methodology for understanding and recording what is important about a landscape began to emerge. Then known as Landscape Assessment, and now known as Landscape Character Assessment (see Landscape Institute, 2015), it was not limited to identifying landscapes worthy of designation but considered all landscapes with the objective of identifying what makes one area 'different' or 'distinct' from another (Countryside Agency and Scottish National Heritage, 2002b). Although the landscape assessment approach covered all landscape, early guidance included advice on evaluating landscapes (Countryside Commission, 1987) by identifying factors for evaluating 'natural beauty' which built on the Hobhouse criteria. The 1993 landscape assessment guidance (Countryside Commission, 1993) was specific in separating the classification and description of landscape character, which concerns what makes one area 'different' or 'distinct' from another, from landscape evaluation, which concentrates on relative value (Countryside Agency and Scottish National Heritage, 2002b). The 1993 guidance included criteria for evaluating 'landscape quality' (particularly in relation to designating landscapes) and identified factors important for evaluating natural beauty (see **Appendix A2**). Historic Landscape Characterisation, piloted at the end of the 1990s, also developed as a way of understanding and mapping the time-depth of places.

A1.1.8 In 1996, the evolving national approach for Landscape Assessment in Wales (Countryside Council for Wales, 1996), LANDMAP, took the strategic decision to include landscape evaluation information. A range of national criteria, grouped under different landscape themes, was developed to provide a relative indication of landscape value to prompt further investigation and consideration as part of planning projects or landscape assessments (see **Appendix A2**).

A1.1.9 The Countryside Agency and Scottish Natural Heritage (2002a) guidance on Landscape Character Assessment developed the criteria set out in the 1993 Landscape Assessment Guidance further, and these were presented as criteria for making judgements about 'landscape value' more widely (i.e. not just in relation to designated landscapes). These criteria informed subsequent guidance including guidance on [Local Landscape Designations in Scotland](#) (2006, updated 2020), Natural England's *Guidance for Assessing Landscapes for Designation as National Park or Area of Outstanding Natural Beauty in England* (2011) and Box 5.1 in the *Guidelines for Landscape and Visual Impact Assessment* (GLVIA3) (LI and IEMA, 2013). **Appendix A2** provides a summary of the evolution of factors used in the assessment of natural beauty and landscape value from 1945 onwards.

A1.1.10 The European Landscape Convention (2000) (ELC) was informed and influenced by the UK's landscape assessment work in the 1980s and 1990s. The first international treaty dedicated to the protection, management and planning of all landscapes in Europe, it was signed by the UK government in 2006²². Signatories acknowledge that 'the landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas'²³ and that 'the landscape is a key element of individual and social well-being'. Article 6 of the Convention places a responsibility on all signatories to increase awareness of 'the value of their landscapes, their role and changes to them'.²⁴ As a signatory to the ELC, the UK has an obligation to enhance the natural and cultural value of all landscapes through a blend of strategies: managing and planning (restoring, creating/enhancing) landscapes.

A1.1.11 The importance of landscape and its value continues to be recognized, for example in DEFRA's 25 Year Environment Plan (HM Government, 2018). There has also recently been a re-emergence of the

²² The UK remains a member of the Council of Europe, which is a separate body from the European Union.

²³ European Landscape Convention – Preamble.

²⁴ European Landscape Convention – Article 6.



word 'beauty' in the field of planning and placemaking (for example in the UK Government's commissioned 'Living with Beauty' report; see Building Better, Building Beautiful Commission/MHCLG, 2020).

A1.1.12 The landscape profession's understanding of landscape value is still developing, particularly in light of the nature and climate emergency (as well as the lockdowns caused by the Covid-19 pandemic). People today value different aspects of landscape than they did in the past or may do in the future, but it is clear that landscape value is more than just beauty and aesthetics.



A2 (Appendix 2) An evolution of factors used to describe landscape value

A2.1 Introduction

A2.1.1 This Appendix summarises the factors used in the assessment of natural beauty and landscape value from 1945 onwards.

A2.2 1945

Report on National Parks in England and Wales (Cmd 6628), John Dower, Ministry of Town and Country Planning

A2.2.1 In 1942 John Dower, a research officer in the Planning Department of the Ministry of Works and Planning, was requested to report on the establishment of National Parks in England and Wales. In his 1945 report, he noted that ‘the task of selecting and delimiting the areas which are to be established as National Parks ... will clearly be no easy matter ... It must rest on an adequate and disinterested survey and investigation of all areas which are, or are claimed to be, in any way suitable, and it must take into account a wide range of factors’ (Ministry of Town and Country Planning, 1945).

A2.2.2 These factors were included in **paragraph 6**, as:

- *landscape beauty*
- *wildlife*
- *suitability for rambling access*
- *popularity*
- *existing and potential land utilization*
- *existing or threatened disfigurements*
- *transport and accommodation facilities, and*
- *the financial and administrative strength of the local authorities concerned.*

National Parks: A Scottish Survey, ‘The Ramsay Report’, Department of Health for Scotland

A2.2.3 The Scottish National Parks Survey Committee was set up to advise on areas suitable for National Parks and to supervise a survey of potential areas. The Committee laid down seven selection criteria (see Department for Health for Scotland, 1945):

- *outstanding scenic beauty*
- *accessibility*
- *preservation and preservability*
- *recreational facilities (of an open-air type)*



- *educational, cultural and social interests*
- *flora and fauna, and*
- *accommodation.*

A2.3 1947

Report of the National Parks Committee (England & Wales) (CMD 7121), Sir Arthur Hobhouse, Ministry of Town and Country Planning

A2.3.1 Para 35 - Factors in selection (of National Parks; see Ministry of Town and Country Planning, 1947):

Natural beauty	Great natural beauty
Recreation	A high value for open-air recreation
Substantial continuous extent	Distribution so that at least one of them is quickly accessible from each of the main centres of population in England and Wales
Merit in variety	With the wide diversity of landscape which is available in England and Wales, it would be wrong to confine the selection of National Parks to the more rugged areas of mountain and moorland, and to exclude other districts which, though of less 'outstanding' grandeur and wildness, have their own distinctive beauty and high recreational value

A2.4 1986

Wildlife and Countryside Acts 1981 & 1985: Section 3 Conservation Maps of National Parks – Guidelines (CCD6), Countryside Commission (out of print)

A2.4.1 This guidance included a table of 'factors affecting natural beauty' in response to Section 3 of the Wildlife and Countryside Acts of 1981 and 1985 which placed a responsibility on each of the National Parks of England and Wales to prepare a map showing those areas of mountain, moor, heath, woodland, down, cliff or foreshore, the natural beauty of which the Authority considers it is particularly important to conserve. The same factors were subsequently reproduced in Countryside Commission (1987).

Physiographic	Geology, soils, relief/landform, land use, vegetation, ecological habitats, natural history/wildlife, archaeology, artefacts – buildings, walls
Associations	a. Historical – general history of settlements, special events b. Cultural – well-known personalities, literary, painting, music
Aesthetics	a. Visual – extent/degree of enclosure, form, scale, continuity/harmony/contrast, diversity, colour (hue, time), texture, presence of eyesores, detractors from scene, contribution to wider landscape, views out – length and breadth, views in – length and breadth, boundaries to views b. Other Senses – sounds, smells, tastes, touch
Relative to other areas	Nationally rare, regionally rare, typical/representative of an area



Feelings evoked in the observer	Comfort, awe, remoteness, solitude, joy
Public accessibility	Indirect/visual, direct/actual – by vehicle, bicycle, horse or foot

A2.5 1991

Landscape Assessment: Principles and Practice, Countryside Commission (out of print)

A2.5.1 This Countryside Commission for Scotland (1991) guidance proposed criteria for evaluating landscape quality in Scotland, in relation to designation of National Scenic Areas, which are summarised in **Table 2** (originally **Table 4.2** of Part 4) of the University of Sheffield's 'A Statement on Natural Beauty: A Report to the Countryside Council for Wales' (2006).

Table 2: Proposed criteria for evaluating landscape quality in Scotland:

Main criterion	Factors considered	Explanation
Landscape as a resource	Rarity	Value conferred by virtue of scarcity value either of landscape as a whole or elements within it
	Representativeness/typicality	Value because a landscape is typical or representative of its type demonstrating better than other areas the combination of features and attributes which characterise that type
Scenic quality	Combination of landscape elements	Landscape quality arising from the particular mix of landscape elements in an area of their disposition in relation to each other
	Aesthetic quality	Landscape quality resulting from the interaction of elements in terms of visual characteristics such as form, line, colour, texture, diversity, memorability, intactness and so on
	Intangible qualities	Includes sense of place or the 'genius loci' and ideas from preference theory including ideas of prospect/refuge and landscape legibility
Preference	Evidence on public preference	Ideally based on preference attitude surveys
	Informed consensus on value	Evidence from planners and landscape professionals, interest groups involved with landscape and writers, artists and photographers
Special values	Wild land/wilderness quality	Depends on factors such as apparent naturalness, remoteness, extent and feelings of solitude, escape and exposure
	Cultural associations	Landscape can assume significance because of its special cultural associations with people or events
	Special heritage interests	Landscape cannot be divorced from other interests and wildlife, archaeological and historical features and geological or geomorphological features will make major contributions to landscape character as well as having conservation value in their own right



A2.6 1993

Landscape Assessment Guidance (CCP 423), Cobham Resource Consultants, Countryside Commission (1993)

A2.6.1 The section of the 1993 guidance dealing with landscape evaluation dealt explicitly with the need to evaluate the quality of the landscape, especially where the assessment related to an area of designated landscape. A list of criteria for evaluating landscapes for designation was included, developing the factors contained in the Countryside Commission's 1991 guidance. They were:

Landscape as a resource	Important for reasons of rarity or representativeness
Scenic quality	High scenic quality, with pleasing patterns and combinations of features
Unspoilt character	Unspoiled by large scale, visually intrusive industry, mineral extraction etc.
Sense of place	Distinctive and common character, including topographic and visual unity
Conservation interests	Such as features of historical, wildlife or architectural interest
Consensus	Consensus of both professional and public opinion as to its importance

A2.7 1995

Guidelines for Landscape and Visual Impact Assessment (GLVIA1), Landscape Institute and Institute of Environmental Assessment (1995)

A2.7.1 Paragraph 3.41 suggested that a qualitative analysis requires an assessment to be made of landscape condition and importance in the sense of aesthetic or cultural value. It suggested that the analysis may include:

Landscape designations	List of landscape designations that may apply
Reasons for designations	Summary of the reasons for landscape designations, e.g. landscape type is rare in a national or regional context
Scenic quality	Professional judgements as to the scenic quality of the site and its wider landscape context, and to the importance of landscape components
Condition of landscape components	Assessment of the condition of important landscape components, including management of land, and the extent of deviation from the perceived optimum condition
Conservation interests	Details of any notable conservation interests such as features of historical, wildlife or architectural importance
Cultural associations	Reference to any special cultural associations, such as important writing and paintings that feature local landscapes
Local perceptions	Past and present perceptions of local value



A2.7.2 GLVIA1 also referred to Countryside Commission (1993) for further advice on criteria for evaluating landscape quality in England.

A2.8 1999

Interim Landscape Character Assessment Guidance, C. Swanwick & Land Use Consultants, Countryside Agency and Scottish Natural Heritage (out of print)

A2.8.1 Criteria for making judgments about landscape value were:

Landscape as a resource	Rarity, representativeness or typicality
Landscape quality	Extent to which typical character is demonstrated in an area and condition or state of repair of the landscape
Scenic quality	Depends upon perception and reflects the particular combination and pattern of elements in the landscape, its aesthetic qualities and its more intangible sense of place or genius loci
Consensus	Consensus of opinion, expressed by the public, informed professionals, interest groups, and artists, writers and other media
Conservation interests	Presence of features of wildlife, earth science or archaeological or historical interest which add to the value of the landscape as well as having value in their own right
Other values	Landscapes may be valued for their wilderness qualities, or particular cultural associations, or because of their tranquillity

A2.9 2001

LANDMAP 2001, and as amended to date. Countryside Council for Wales (2001)

A2.9.1 The LANDMAP assessment for Wales developed a set of evaluation criteria for separate themed layers.

A2.9.2 A method document for each theme set out and defined each criterion²⁵, as follows:

²⁵ LANDMAP [methodology, including definitions of each layer, reports, guidance and interactive map browser](#).



Geological Landscape	Landscape Habitats	Visual and Sensory	Historic Landscape	Cultural Landscape (NB: not evaluated by degree of importance)
<ul style="list-style-type: none"> • Research value • Educational value • Historical value • Rarity/uniqueness • Classic example 	<ul style="list-style-type: none"> • Priority habitats • Significance • Opportunity • Expansion rates • Sensitivity • Connectivity/cohesion • Habitat evaluation • Importance for key species 	<ul style="list-style-type: none"> • Scenic quality • Integrity • Character (strength of) • Rarity 	<ul style="list-style-type: none"> • Integrity • Survival • Condition • Rarity • Potential 	<ul style="list-style-type: none"> • Recognition/transparency • Rarity • Group value • Survival

Further layers, for seascapes and (ecosystem cultural) services are being added. The latter responds to the Welsh policy context, which views landscape value through ecosystem services, well-being and placemaking.

A2.9.3 Not all evaluations will be relevant to all projects, so intelligent selection is needed. ‘Adding up’ evaluations for different themes is discouraged as that masks what is important about a landscape (and would just confirm that all landscapes are very important in some way). Their intended use is to open rather than close discussion of landscape value, by alerting users to topics and areas that may need more detailed enquiry.

A2.10 2002

Landscape Character Assessment: Guidance for England and Scotland (CAX 84), Countryside Agency and Scottish Natural Heritage (2002a)

A2.10.1 Paragraph 7.22 states, ‘In considering natural beauty and amenity, and in any other situation which requires that a landscape be identified as requiring special attention, judgements must be based at least in part on the concept of landscape value’. The reasons may be set out according to a range of more detailed criteria that may include the following:

Landscape quality/condition	Intactness of the landscape and the condition of features and elements
Scenic quality	The term that is used to describe landscapes which appeal primarily to the visual senses
Rarity	The presence of rare features and elements in the landscape, or the presence of a rare landscape character type



Representativeness	Whether the landscape contains a particular character, and/or features and elements, which is felt by stakeholders to be worthy of representing
Conservation interests	Presence of features of particular wildlife, earth science or archaeological, historical and cultural interest can add to the value of a landscape as well as having value in their own right
Wildness	Presence of wild (or relatively wild) character in the landscape which makes a particular contribution to sense of place
Associations	Associations with particular people, artists, writers, or other media, or events in history

A2.11 2006

A Statement on Natural Beauty, Sheffield University Landscape Department, Countryside Council for Wales (CCW; Selman and Swanwick, 2010)

A2.11.1 This was an academic study commissioned by CCW. Paragraph 6 refers to criteria that can be taken into account in defining landscape value and hence defining landscapes which have outstanding 'natural beauty' as:

Scenic quality	Aesthetic aspects of landscape (those which give pleasure to the senses), its perceptual dimensions and the spiritual or emotional impact that both have on people
Sense of place	Unity and distinctiveness of landscape character
Landscape quality/condition	Intactness of the landscape and its condition, distinctiveness of landscape character in a particular locality
Integrity	Intact rural character and general lack of large-scale, visually intrusive or otherwise inharmonious development
Perceptual qualities	Perceptual qualities which make a particular contribution to sense of place, including wildness and tranquillity
Associations	Important associations of the landscape with people, places or events relevant to a particular place
Cultural descriptions	Expressions or descriptions of the landscape in art, literature, music and other art forms, through language and folklore, and through modern media
Rarity or representativeness	Either of the landscape as a whole, or of individual elements and features within it
Conservation interest	Presence of features of particular wildlife, earth science or archaeological, historical and cultural interest which add value to the landscape as well as having conservation value in their own right



Guidance on Local Landscape Designations, SNH and Historic Environment Scotland²⁶

A2.11.2 SNH and Historic Environment Scotland's (2006) guidance on local landscape designations suggested that local authorities need to identify both the character and qualities of the landscape considered to be of particular value in the local context, and suggested the following aspects/factors could be considered:

	Definition	Description
Aspects of landscape character		
Typicality	Elements of landscape character which are particularly common within the assessment area as a whole	Landscape features or combination of features that recur throughout the area
Rarity or uniqueness	Particular aspects of landscape character which are rare or unique in the area	Landscape features or combination of features which are rare or unique within the assessment area as a whole
Condition or quality	The degree to which individual characteristics of landscape character are in a good state of repair or health	Landscape features or combination of features which are in a good state of repair
Landscape qualities		
Scenic	Aspects of the landscape and our reaction to it which contribute to its natural beauty and aesthetic appreciation	Landscapes with strong visual, sensory and perceptual impacts and experiential appeal. May contain a pleasing combination of features, visual contrasts or dramatic elements
Enjoyment	Aspects of the landscape and our reactions to it which contribute to its potential for recreation and amenity	Landscapes of importance as local greenspace, as tranquil areas and/or for countryside recreation. May contain viewpoints and landmarks
Cultural	Aspects of the landscape and our reactions to it which contribute to the understanding of its historic character and the wider cultural record	Landscapes rich in archaeology, built heritage, literary, artistic and other cultural associations and local history. May include historic gardens and designed landscapes
Naturalness	Aspects of the landscape and our reactions to it which contribute to its naturalness	Landscapes with extensive semi-natural habitat, a lack of human presence and perceived qualities of wildness. May include areas of wild land

A2.12 2011

Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England, Natural England (2011)

A2.12.1 Table 3 of this guidance sets out factors that are related to Natural Beauty. These are expanded upon in Appendix 1 to include sub-factors and indicators, as follows:

²⁶ Accessible at <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-areas/local-designations/local-landscape-areas>



Factor	Example sub-factor	Example Indicator
Landscape quality	Intactness of the landscape in visual, functional and ecological perspectives	Characteristic natural and man-made elements are well represented throughout
	The condition of the landscape's features and elements	Landscape elements are in good condition
	The influence of incongruous features or elements (whether man-made or natural) on the perceived natural beauty of the area	Incongruous elements are not present to a significant degree, are not visually intrusive, have only localised influence or are temporary in nature
Scenic quality	A distinctive sense of place	Landscape character lends a clear and recognisable sense of place
	Striking landform	Landform shows a strong sense of scale or contrast
		There are striking landform types or coastal configurations
	Visual interest in patterns of land cover	Land cover and vegetation types form an appealing pattern or composition in relation to each other and/or to landform which may be appreciated from either a vantage point or as one travels through a landscape
	Appeal to the senses	Strong aesthetic qualities, reflecting factors such as scale and form, degree of openness or enclosure, colours and textures, simplicity or diversity, and ephemeral or seasonal interest
		Memorable or unusual views and eye-catching features or landmarks
Characteristic cognitive and sensory stimuli (e.g. sounds, quality of light, characteristic smells, characteristics of the weather)		
Relative wildness	A sense of remoteness	Relatively few roads or other transport routes
		Distant from or perceived as distant from significant habitation
	A relative lack of human influence	Extensive areas of semi-natural vegetation
		Uninterrupted tracts of land with few built features and few overt industrial or urban influences
	A sense of openness and exposure	Open, exposed to the elements and expansive in character
	A sense of enclosure and isolation	Sense of enclosure provided by (e.g.) woodland, landform that offers a feeling of isolation
A sense of the passing of time and a return to nature	Absence or apparent absence of active human intervention	



Relative tranquillity	Contributors to tranquillity	Presence and/or perceptions of natural landscape, birdsong, peace and quiet, natural-looking woodland, stars at night, stream, sea, natural sounds and similar influences
	Detractors from tranquillity	Presence and/or perceptions of traffic noise, large numbers of people, urban development, overhead light pollution, low flying aircraft, power lines and similar influences
Natural heritage features	Geological and geo-morphological features	Visible expression of geology in distinctive sense of place and other aspects of scenic quality
		Presence of striking or memorable geo-morphological features
	Wildlife and habitats	Presence of wildlife and/or habitats that make a particular contribution to distinctive sense of place or other aspects of scenic quality
		Presence of individual species that contribute to sense of place, relative wildness or tranquillity
Cultural heritage	Built environment, archaeology and designed landscapes	Presence of settlements, buildings or other structures that make a particular contribution to distinctive sense of place or other aspects of scenic quality
	Historic influence on the landscape	Visible presence of historic landscape types or specific landscape elements or features that provide evidence of time depth or historic influence on the landscape
	Characteristic land management practices	Existence of characteristic land management practices, industries or crafts which contribute to natural beauty
	Associations with written descriptions	Availability of descriptions of the landscape in notable literature, topographical writings or guidebooks, or significant literature inspired by the landscape
	Associations with artistic representations	Depiction of the landscape in art, other art forms such as photography or film, through language or folklore, or in inspiring related music
	Associations of the landscape with people, places or events	Evidence that the landscape has associations with notable people or events, cultural traditions or beliefs

A2.13 2013

Guidelines for Landscape and Visual Impact Assessment (GLVIA3), Landscape Institute and Institute of Environmental Management & Assessment (2013)

A2.13.1 Box 5.1 contains a 'Range of factors that can help in the identification of valued landscapes'. These are:



Landscape quality (condition)	A measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual area, the intactness of the landscape and the condition of individual elements
Scenic quality	The term used to describe landscapes that appeal primarily to the senses (primarily but not wholly the visual senses)
Rarity	The presence of rare elements or features in the landscape or the presence of a rare Landscape Character Type.
Representativeness	Whether the landscape contains a particular character and/or features or elements which are considered particularly important examples
Conservation interests	The presence of features of wildlife, earth science or archaeological or historical and cultural interest can add to the value of the landscape as well as having value in their own right
Recreation value	Evidence that the landscape is valued for recreational activity where experience of the landscape is important
Perceptual aspects	A landscape may be valued for its perceptual qualities, notably wildness and/or tranquillity
Associations	Some landscapes are associated with particular people such as artists or writers, or events in history that contribute to perceptions of the natural beauty of the area

A2.14 2017

Guidance Note 1: LANDMAP and Special Landscape Areas, Natural Resources Wales (2017)

A2.14.1 Paragraph 6.1.2 states that ‘by definition, an SLA designation usually only applies to areas that are deemed as ‘special’ in terms of their local landscape character. This reflects both local distinctiveness and sense of place, as well as landscape quality in its own right’. Examples of landscape criteria are:

Rarity	A landscape that is particularly rare/unique or special in the local context
Distinctiveness	An area with a distinct landform or topography, forming a discrete and recognisable area in the local landscape
Natural or cultural character	A landscape with strong character linked to natural or cultural factors, which contribute to an understanding of historic character, wider cultural values or create a strong degree of naturalness
Cultural associations	A landscape with particular cultural associations, represented in art, literature, music, language or folklore
Scenic qualities	An area of recognisable character with a strong sense of place and/or scenic qualities

Guidance on Local Landscape Areas (Draft), Scottish Natural Heritage and Historic Environment Scotland (now superseded)

A2.14.2 Table 1 of Scottish Natural Heritage and Historic Environment Scotland’s (2017) draft guidance set out the common criteria used to define landscape qualities:



Landscape Qualities	Definition	Description
Scenic	Landscape that appeals primarily to the visual senses, appreciated for its natural beauty	Landscapes with strong visual, sensory and perceptual impacts and experiential appeal. May contain a pleasing combination of features, visual contrasts or dramatic elements
Cultural	Landscape with features of archaeological, historical or cultural interest, offering a time-depth to people's experience.	Landscapes rich in archaeology, built heritage, literary or artistic connections, consciously designed (parks and gardens), the scene of historic events (such as battles), other cultural associations and local history. and designed landscapes
Natural	Landscape of strong natural or semi-natural character, with wildlife or earth science features	Landscapes with extensive semi-natural habitat, distinctive topography or geology, a lack of human presence and perceived sense of 'wildness'
Enjoyment	Landscape recognised for recreation and amenity, which evokes pleasure	Landscapes valued as tranquil areas and/or for countryside recreation. May contain viewpoints and landmarks
Rarity or uniqueness	The presence of rare elements or features in the landscape or a rare landscape character type	Landscape features or combination of features which are rare or unique within the assessment area as a whole. Landscapes that are distinctive with a strong 'sense of place'
Typicality	A landscape that is a good example of a particular landscape type, and often relatively common within the assessment area	Landscape features or combination of features that recur throughout the area

A2.15 2020

Guidance on Designating Local Landscapes, NatureScot and Historic Environment Scotland (2020)

A2.15.1 This guidance states, at paragraph 2.4.2: 'Selection criteria are essential. These must be fit for purpose, developed by agreement with interested stakeholders where possible, and applied consistently. The criteria relate to the special qualities of a landscape'. **Table 1** of the guidance sets out the range of evaluation criteria commonly used, noting 'this is not a fixed list as the criteria need to be appropriate to each designation process' (paragraph 2.4.4). The criteria in **Table 3** of the guidance are:

Landscape criterion	Definition	Description
Scenic	Landscape that appeals primarily to the visual senses, and is appreciated for its beauty	Landscapes with strong visual, sensory and perceptual impacts and experiential appeal. May contain a pleasing combination of features, visual contrasts or dramatic elements



Cultural	Landscape with clear evidence of archaeological, historical or cultural interests / associations / significance, offering a time-depth to people's experience	Landscapes rich in archaeology or built heritage, or consciously designed (e.g. parks and gardens), or largely the product of human interaction. May include the scene of historic events (such as battles), have literary or artistic connections, or other cultural associations and local history
Natural	Landscape of strong natural or semi-natural character, with clear evidence of ecological, geological or geomorphological interest	Landscapes with extensive semi-natural habitat, distinctive topography or geology, a general lack of permanent human presence and a perception of wildness
Recreation and enjoyment	Landscape recognised as offering opportunities for recreation and amenity, where experience of landscape is important	Landscapes valued for recreation. May contain viewpoints, landmarks and renowned vistas; paths and trails including core paths, rights of way, long distance trails, national cycle routes; and scenic routes
Local distinctiveness and sense of place	Landscape that has a strong sense of identity	Landscape features or combination of features which are identified as being characteristic of a particular place. Landscapes that are distinctive with a strong 'sense of place'
Health and wellbeing	A landscape which makes particular contribution to both the physical and psychological health and wellbeing of a local community and/or visitors	Landscape facilities and features which are well-used and valued by local communities and visitors
Important spatial function	Landscape that performs a clearly identifiable and valued spatial role	Can include, for example, settlement 'gateways', or separation between developments

A2.15.2 The guidance notes that the list is not fixed as the criteria need to be appropriate to each designation process. It also recognises that not all the criteria need to be met in every case: a landscape might be deemed so valued under one criterion that it merits designation on that basis alone. The guidance explains that the aim is to identify and analyse what the qualities are that, individually or when combined, make the area special in terms of its landscape and scenery.



A3 (Appendix 3) Designated landscapes: UK policy and guidance

A3.1 Introduction

A3.1.1 This Appendix considers how landscape is valued in UK legislation and in UN, European and UK policy statements, regulations and guidance. It describes the current UK hierarchy of international, nationally protected, and locally designated landscapes, including the different approaches of devolved nation governments.

A3.2 Internationally valued landscapes

A3.2.1 Globally, under the **UNESCO World Heritage Convention 1992**, landscapes may be designated to ensure the protection of their natural and/or cultural heritage. World Heritage Sites must have values that are outstanding and universal, and it is each site's Outstanding Universal Value (OUV) that is to be protected. Cultural landscapes are said to 'express a long and intimate relationship between peoples and their natural environment'.

A3.2.2 In the UK there are 32 sites on the current list. The UNESCO 2008 operational guidelines describe categories of 'clearly defined landscape designed and created intentionally by man, organically evolved landscape, and associative cultural landscape, identified on the international list as 'cultural, natural or mixed' sites'. Criteria for selection are described on UNESCO's website²⁷.

A3.2.3 The **International Union for Conservation of Nature (IUCN)** provides a global classification system for Protected Areas. National Parks in England, Wales and Scotland, and Areas of Outstanding Natural Beauty (AONBs) in England, Wales and Northern Ireland are internationally recognised as **Category V Protected Areas**, as living, working landscapes and seascapes. National Parks and AONBs are periodically assessed by the IUCN to ensure continued compliance with the standards and management guidelines²⁸.

A3.3 The European Landscape Convention

A3.3.1 The UK is a member state on the Council of Europe and a signatory to the **European Landscape Convention (ELC) 2004**, which came into effect in the UK in 2007. The first aim of the ELC is to encourage public authorities to adopt policies and measures at local, regional, national and international level for protecting, managing and planning landscapes throughout Europe.

A3.3.2 The treaty introduces the concept of all landscapes having value in terms of quality of life and wellbeing. Signatories commit to 'acknowledging that the landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas.' The ELC's 'all-landscapes' approach is compatible with the identification of 'valued landscapes' as it seeks to promote 'measures to preserve the present character and quality of a landscape which is greatly valued'.²⁹

²⁷ <https://whc.unesco.org/en/criteria/>

²⁸ <https://www.iucn.org/theme/protected-areas/about/protected-area-categories>

²⁹ www.coe.int/en/web/conventions/full-list/-/conventions/treaty/176



A3.4 National landscape designations

A3.4.1 Planning legislation and policy in each of the UK's devolved nations recognise landscape value at both national and local levels. England, Wales, Scotland and Northern Ireland each have their own primary planning legislation.

A3.4.2 It should be noted that Green Belt is not a landscape designation and does not denote landscape value, although it does perform a spatial function in the landscape.

England

A3.4.3 Statutory designations of landscapes in England, which are safeguarded by legislation, originated with the National Parks and Access to the Countryside Act 1949. The Broads National Park is designated under its own Act of Parliament (the Broads Act 1988). National Park purposes are defined as 'conserving and enhancing its natural beauty³⁰, wildlife and cultural heritage, and promoting understanding and enjoyment of its special qualities by the public'. The 1949 Act also made provision for the designation of AONBs to 'preserve and enhance natural beauty'. This original purpose of 'preserving and enhancing' was subsequently changed to 'conserving and enhancing' (Environment Act 1995).

A3.4.4 The Countryside & Rights of Way (CROW) Act 2000 consolidated the provisions of the 1949 Act, enabling conservation boards to be set up for larger AONBs and requiring management plans to be adopted for AONBs. Two AONBs have Conservation Boards, the Chilterns and Cotswolds AONBs.

A3.4.5 AONBs carry the same status and level of landscape protection as National Parks (Defra Vision and Circular 2010). Paragraph 20 states: 'The Government continues to regard National Park designation (together with that for Areas of Outstanding Natural Beauty ['AONBs']) as conferring the highest status of protection as far as landscape and natural beauty is concerned'.

A3.4.6 In England, Heritage Coasts (from 1973) are protected by policy rather than statute, though many are located within National Parks or AONBs and benefit from their statutory protection. They are defined (rather than designated) by agreement between local authorities and Natural England. The policy framework for Heritage Coasts in England was issued by the Countryside Commission (the predecessor to Natural England) in 1992. Heritage Coasts are defined as coastlines of exceptionally fine scenic quality, which are more than a mile in length, substantially undeveloped and contain features of special significance and interest.

A3.4.7 Historic England maintains a statutory 'Register of parks and gardens of special historic interest in England' and a separate 'Register of historic battlefields'. Although these designations bring no additional statutory controls, they contribute to landscape value as well as being heritage assets which are protected through national policy. National policy also requires local authorities to make provision for the protection of the historic environment in their policies and their allocation of resources.

Wales

A3.4.8 Historically, Wales shared most of the legislation and guidance relevant to landscape with England, notably the National Parks and Access to the Countryside Act 1949. The statutory landscape designations that apply in Wales are therefore the same as in England: National Parks, which are valued for their 'natural beauty and recreational value', and AONBs, valued for their 'outstanding distinctive landscape character and natural beauty'. In Wales, National Parks and AONB authorities are legally required to produce a management plan which sets out the Special Qualities of the area and policies to conserve and enhance the natural beauty of the designation. As set out in Planning Policy Wales, National Parks and AONBs are of equal status in terms of landscape and scenic beauty, and must both be afforded the highest status of protection from inappropriate developments.

A3.4.9 In 2014 Welsh Government commissioned a Review of Designated Landscapes and the 'Marsden Report' was published the following year. The review concluded in 2018 with Welsh

³⁰ The term 'natural beauty' is enshrined in the 1949 Act. The 1949 Act did not define what 'natural beauty' actually meant. Since then, its meaning has been clarified and interpreted through a series of studies, guidance documents, Secretary of State Decision letters, an Appeal Court judgement and public inquiries. Some clarification has also been provided through legislative amendments to the 1949 Act, e.g. NERC Act 2006 Section 99. Today, it is understood that natural beauty goes well beyond scenic or aesthetic value: it is to do with the relationship between people and place, and encompasses everything - 'natural' and human - that makes an area distinctive.



Governments response: 'Valued and Resilient' (Welsh Government, 2018). This sets out Welsh Governments priorities for the National Parks and AONBs in Wales.

A3.4.10 Non-statutory landscape designations valued at a national level include Heritage Coasts, which represent the most scenically outstanding stretches of undeveloped and unspoilt coast in Wales. Cadw, the historic environment service of the Welsh Government, in partnership with Natural Resources Wales (NRW) and the International Council on Monuments and Sites (ICOMOS UK) compiled (in 2014) a Register of landscapes of outstanding or special historic interest in Wales. This is a non-statutory register, 'intended to provide information and raise awareness of an initial selection of the most important and significant historic landscape areas in Wales in order to aid their protection and conservation'.³¹

Scotland

A3.4.11 Scotland's two National Parks (Loch Lomond and The Trossachs National Park and the Cairngorms National Park) are designated under the National Parks (Scotland) Act 2000. Scotland also has National Scenic Areas (NSAs), designated as '*areas of outstanding scenic value in a national context*'³², and broadly equivalent to AONBs in England and Wales. NSAs were first described in 'Scotland's Scenic Heritage' (CCS 1978) and have been recognised within the planning system since 1980. As explained on the Scottish Government's website³³, in 2010, Scottish Ministers issued directions to local authorities under provisions in section 263A of the Town and Country Planning (Scotland) Act 1997 (inserted by section 50 of the Planning etc. (Scotland) Act 2006) to designate the current suite of NSAs. The NSAs include areas of landscape described variously on the www.nature.scot website as 'spectacular, dramatic, picturesque and richly diverse'.

A3.4.12 Wild land is not a statutory designation but the third National Planning Framework (NPF3, 2014) 'recognises wild land as a nationally important asset and indicates that Scotland's wildest landscapes merit strong protection'. NatureScot has identified 'wild land areas' – nationally important extensive areas of semi-natural landscapes that show minimal signs of human influence.³⁴ Historic Environment Scotland maintains the Inventory of Gardens and Designed Landscapes and the Inventory of Historic Battlefields. The cultural significance of sites can be taken into account in the planning process.

Northern Ireland

A3.4.13 In 2015, a new two-tier planning system came into force under the Planning Act (Northern Ireland) 2011. It introduced a sharing of planning responsibilities between eleven Councils and the Department for Infrastructure (DfI). The new planning system involved a move away from a suite of Planning Policy Statements (PPS) to a single Strategic Planning Policy Statement (SPPS 2015). However, a transitional period is in operation until local authorities adopt their Local Development Plans (LDPs). The Department of Agriculture, Environment and Rural Affairs (DAERA) has two Executive Agencies, namely Northern Ireland Environment Agency (NIEA) and Northern Ireland Forest Service.

A3.4.14 The main legislative basis for DAERA NIEA in relation to landscape and amenity protection is the Nature Conservation and Amenity Lands Order (NI) 1985 (NCALO). Through this, the former Department of the Environment for Northern Ireland (DOE NI) designated the seven landscape areas with the highest amenity value as Areas of Outstanding Natural Beauty (AONB), although the Lagan Valley AONB remains designated under an earlier act, The Amenity Lands Act 1965.

A3.4.15 'Shared Horizons' (2003) is the former DOE NI's Statement of Policy on Protected Landscapes, relating to the protection and sustainable use of Northern Ireland's finest landscapes. Such areas are usually recognised by some form of designation, which sets them apart from the wider countryside. Whilst the only designation currently in use in Northern Ireland to identify areas of high landscape

³¹<https://lle.gov.wales/catalogue/item/RegisteredLandscapesOfOutstandingHistoricInterestInWales/?lang=en>

³² Planning etc. (Scotland) Act 2006 2006 asp 17.

³³ <https://www.gov.scot/policies/landscape-and-outdoor-access/natural-heritage-designations/>

³⁴ <https://www.nature.scot/professional-advice/landscape/landscape-policy-and-guidance/landscape-policy-wild-land>



quality is that of Area of Outstanding Natural Beauty (AONB) provision has been made for the potential designation of National Parks in future.³⁵

A3.5 Local landscape designations

England

A3.5.1 England has seen a rise and fall in the use of local landscape designations over the years. In line with the Town and Country Planning Act 1968, many county councils adopted some form of non-statutory landscape designation when preparing their structure plans. Local designations had various names such as Areas of Great Landscape Value, Special Landscape Areas, Areas of Special Landscape Value, Undeveloped Coast and Coastal Preservation Areas.

A3.5.2 In 2004 national guidance in Planning Policy Statement (PPS 7): Sustainable development in rural areas (ODPM 2004) (now cancelled and superseded by the National Planning Policy Framework (NPPF 2019)) advised local planning authorities only to rely on statutory designations when seeking to conserve ‘specific features and sites of landscape, wildlife and historic or architectural value’. Paragraph 25 stated that ‘Local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection’. This resulted in a decline in the use of local landscape designations in England, and in many places they were replaced by criteria-based local plan policies linked to local landscape character assessments.

A3.5.3 NPPF paragraph 171 requires development plans to ‘distinguish between the hierarchy of international, national and locally designated sites’; but does not make any specific reference to local landscape designations. However, national Planning Practice Guidance (PPG) Paragraph: 036 [Reference ID: 8-036-20190721] makes it clear that strategic policies should provide for the conservation and enhancement of landscapes and that this can include locally designated landscapes. The NPPF also enables land to be designated as a ‘Local Green Space’ through local and neighbourhood plans – these are areas that are special to a local community or have particular local significance, for example because of their beauty, historic significance, recreational value, tranquillity or richness of wildlife.

A3.5.4 Future changes in the planning system are proposed in the Government’s draft planning white paper: *Planning for the Future* (2020), but it is not yet clear how ‘valued landscapes’ may be interpreted within the proposed categories of ‘growth’, ‘renewal’ and ‘protected’ areas.

Wales

A3.5.5 Since the establishment of the Welsh Assembly Government in 1999, and following the 2011 referendum and the Wales Act 2017, Wales has been developing its own regulatory framework for landscape. Planning Policy Wales (PPW10 2018) currently sets the context for planning in Wales. Para 6.3.3 explains that ‘all the landscapes of Wales are valued for their intrinsic contribution to a sense of place’.

A3.5.6 PPW10 supports local landscape designations and advises (para 6.3.11) that ‘Planning authorities should provide for the conservation and, where appropriate, enhancement of local landscapes. This may include policies for landscape features, characteristics and qualities of local significance, and the designation of Special Landscape Areas (SLAs). Planning authorities should state which features, characteristics or qualities require extra protection, and explain how the policy or designation will achieve this protection’. Special Landscape Areas (SLAs) in Wales are non-statutory local landscape designations used by some local authorities to define areas of high landscape importance and to provide for their conservation and enhancement through policies in their local plans and supplementary guidance. SLAs are defined using LANDMAP, and mainly include landscape areas evaluated as Outstanding and High (of national or county importance). In June 2020, 17 local authorities out of 22 had SLAs linked to a local policy plan.

A3.5.7 LANDMAP is the all-Wales GIS based landscape resource that records and evaluates landscape characteristics, qualities and influences on the landscape for the purposes of landscape assessment. LANDMAP Guidance Note 1 (Natural Resources Wales, 2017) sets out an approach for defining Special

³⁵ <https://www.daera-ni.gov.uk/articles/shared-horizons>



Landscape Areas (SLAs). These may be designated for ‘their intrinsic physical, environmental, visual, cultural and historical importance, which may be considered unique, exceptional or distinctive to the local area’. They should be ‘important for their distinctive character, qualities and sense of place’.

Scotland

A3.5.8 National policy in Scotland is set out in NPF3 and Scottish Planning Policy (SPP 2014). SPP states that the planning system should ‘facilitate positive change while maintaining and enhancing distinctive landscape character’ (paragraph 194), and the ELC is listed as a key document. Paragraph 197 advises that ‘Planning authorities are encouraged to limit non-statutory local designations to areas designated for their local landscape or nature conservation value: the purpose of areas of local landscape value should be to safeguard and enhance the character and quality of a landscape which is important or particularly valued locally or regionally; or promote understanding and awareness of the distinctive character and special qualities of local landscapes; or safeguard and promote important local settings for outdoor recreation and tourism’.

A3.5.9 Local Landscape Area (LLA) designations (previously Special Landscape Area; prior to that a variety of names was used), are used in local development plans across Scotland. NatureScot and Historic Environment Scotland (2002) jointly published *Guidance on Designating Local Landscape Areas* (LLAs) is a revised and updated version of guidance originally produced in 2006). This is intended primarily for local authorities to use in taking forward their own designation process. The guidance acknowledges that local landscape designations are a valuable tool in the development plan toolbox and outlines the process for designating new LLAs and refreshing existing designations.

Northern Ireland

A3.5.10 Planning Policy Statement 2 (PPS2 2013) sets out policies for the conservation, protection and enhancement of Northern Ireland’s natural heritage. Local authorities are responsible for zoning a variety of landscape related areas as part of their Local Development Plan process. The designations that may be used for local landscapes include Local Landscape Policy Areas (LLPAs) and Areas of High Scenic Value (AoHSVs), although Areas of Townscape Character (ATCs), Areas of Village Character (AVCs) and Countryside Policy Areas (CPAs) may also be designated.

A3.5.11 Planning Policy Statement 6 (PPS6 1999) explains that ‘Environmental assets, identified as part of the process of Countryside Assessment, will normally form the basis for the designation of local landscape policy areas. These consist of those features and areas within and adjoining settlements considered to be of greatest amenity value, landscape quality or local significance and therefore worthy of protection from undesirable or damaging development’.

A3.5.12 The Department of the Environment’s ‘Strategic Planning Policy Statement for Northern Ireland’ (SPPS 2015), which will supersede PPS6, highlights Local Landscape Policy Areas (LLPAs) stating that Local Development Plans should, where appropriate, designate LLPAs and bring forward local policies and guidance to maintain the intrinsic landscape, environmental value and character of such areas.



A4 (Appendix 4) The valued landscape ‘policy test’ in England

A4.1 2012 National Planning Policy Framework (NPPF)

A4.1.1 In 2012, the first version of the NPPF was published. It included a policy (paragraph 109) which stated that ‘The planning system should contribute to and enhance the natural and local environment by: [inter alia] protecting and enhancing valued landscapes’.³⁶ No definition of a ‘valued landscape’ was given in the NPPF³⁷. Planning Practice Guidance paragraph 036 Ref ID:036-20190721 provides advice on the use of policies for landscapes of a particular local value but there is no guidance on how to identify such landscapes.

A4.1.2 The term valued landscape appears in the 2002 landscape character assessment guidance and in the title of GLVIA3 Box 5.1 (‘Range of factors that can help in the identification of valued landscapes’) which was published in 2013. However, the reference in GLVIA is a quote from the 2002 guidance and not a response to the use of the term ‘valued landscapes’ in the 2012 NPPF.

A4.1.3 Following the 2012 NPPF the identification of ‘valued landscapes’ took on a new level of significance in planning appeals. Methods used to identify ‘valued landscapes’ in the context of the NPPF began to emerge, based on evidence presented by expert landscape witnesses at inquiry, Inspectors’/Secretary of State’s decisions, and court judgements. The evolution of approaches to the identification of ‘valued landscapes’ is summarised in **Appendix A5**. The ‘preferred’ approach that has emerged is based on the value factors set out in GVLIA3 Box 5.1.

A4.1.4 One particularly influential judgment³⁸ accepted an approach which identified whether a landscape had sufficient ‘demonstrable physical attributes’ to take it beyond ‘ordinary landscape’. This judgment also found that the 2012 NPPF was clear that ‘designation’ and ‘valued’ in relation to landscapes do not mean the same thing. Although this approach is still widely accepted the particular term ‘demonstrable physical attributes’ is not used in this TGN because it can be misunderstood as focusing exclusively on physical factors and excluding the perceptual and associative factors that may contribute towards the value of a landscape.

A4.2 2018/9 NPPF

A4.2.1 In July 2018, the NPPF was revised, and the 2012 ‘valued landscape’ paragraph 109 was transposed, with modifications, to paragraph 170. The NPPF was revised again in February 2019³⁹ but paragraph 170 remained unchanged. There is still no definition of ‘valued landscapes’.

A4.2.2 Paragraph 170 a) qualifies the term ‘valued landscapes’ as follows (qualification underlined): ‘Planning policies and decisions should contribute to and enhance the natural and local environment by:

³⁶ Planning Policy Statement 7 Sustainable Development in Rural Areas P24 introduces the idea of valued landscapes which can be protected via of criteria-based policies rather than local designations.

³⁷ The Landscape Institute is aware of the lack of clarity regarding the expression ‘valued landscapes’. The LI drew attention to this wording in a response to the government consultation on the draft NPPF 2012, and again on the draft revised NPPF 2018 (in 2017). The LI continues to respond to all relevant government consultations, in particular those issued by MHCLG and DEFRA. The LI uses these invitations to comment and draw attention to any perceived lack of clarity or inconsistencies in the text of consultation drafts, making suggestions for revised wording where appropriate.

³⁸ Stroud DC v SoSCLG [2015] EWHC 488 (See Appendix 2 for further discussion of this judgement).

³⁹ The current consultation draft of a proposed revision to the NPPF (2020) does not include any changes to the wording of paragraph 170.



a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (*in a manner commensurate with their statutory status or identified quality in the development plan*)’.

A4.2.3 The precise meaning of *in a manner commensurate with their statutory status or identified quality in the development plan* has been the subject of much debate, especially at planning inquiries, since 2018. **Appendix A5** refers to a number of decisions relating to its interpretation which provide an indication of the issues inspectors have considered to be relevant in the light of this qualification. However, there is no consensus on the meaning of the qualification and the interpretation of policy intentions and meanings can only be determined by the Courts. At the time of writing there have been no court judgments, post the 2018 revision, that have addressed the issue of ‘valued landscapes’.

A4.2.4 This Appendix sets out the Landscape Institute’s guidance on how landscape professionals should identify ‘valued landscapes’ and in particular how landscape professionals might interpret the phrase ‘in a manner commensurate with their statutory status or identified quality in the development plan’. It is intended to:

- *guide landscape professionals undertaking landscape assessments in England, so that their judgments about landscape value are based on a transparent and structured approach such as the one set out in Table 1 above; and*
- *assist decision-makers in England who have to interpret and balance the judgments made by different landscape professionals.*

Statutory status

A4.2.5 The interpretation of the phrase ‘in a manner commensurate with their statutory status’ is relatively straightforward. Where a landscape has a statutory status, such as a National Park or AONB, it is self-evident that it is a valued landscape⁴⁰. The great weight that should be given to conserving and enhancing landscape and scenic beauty in nationally designated landscapes is set out at NPPF paragraph 172 and relates to the statutory requirements with regard to natural beauty and (for National Parks only) the opportunities afforded for open-air recreation. Paragraph 170 a) does not alter those requirements.

Identified quality in the development plan

A4.2.6 The interpretation of ‘identified quality in the development plan’ is not clear. There are two fundamentally different interpretations that have been adopted by inspectors, which are considered below in more detail:

1. It means non-statutory, locally designated landscapes;
2. It means any landscape where there is evidence to justify the identification of a ‘valued landscape’. Local designation alone may not be sufficient evidence.

In both cases it is assumed that the word ‘quality’ means degree of excellence.

Locally designated landscape

A4.2.7 The phrase ‘identified quality in the development plan’ was interpreted by one inspector as meaning a locally designated landscape. This interpretation was accepted by the Secretary of State, although the acceptance was implicit not explicit.⁴¹ However, this interpretation has not been adopted by subsequent inspectors who have identified problems with this approach, in particular:

⁴⁰ In cases where a particular area within a National Park or AONB may not demonstrate the level of quality expected of its designation status, this does not mean that its value is diminished. Such an area is still a component of the nationally designated area with the characteristics associated with the park or AONB as a whole, and the aim should be to bring it back or much closer to the quality and character of the wider designated area so that it can be a positive contributor to the statutory purpose (to conserve and enhance the area’s natural beauty).

⁴¹ App 3197293 Pods Brook Road, Braintree, Essex (June 2019).



- *that many planning authorities, following previous policy guidance,⁴² no longer have local landscape designations; and*
- *that some local designations do not have an underlying evidence-base.*

A4.2.8 At least one inspector has disagreed with the interpretation that any locally designated landscape must automatically be a valued landscape because in that case the parties agreed there was no evidence base to support the designation.⁴³

Development plan policy support

A4.2.9 Many inspectors have continued to consider evidence presented to support the identification of a 'valued landscape' whether a local landscape designation exists or not. Evidence that has been used in reaching judgements about whether a landscape should be considered to be a valued landscape includes:

- *factors that are generally agreed to influence landscape value as set out in GLVIA3 Box 5.1;*
- *the presence of qualities in the landscape that are identified in the development plan (which includes neighbourhood plans) as requiring protection, such as in policies that require development to respect key aspects of a local landscape identified in the local landscape character assessment; and*
- *when a local designation exists, whether the landscape in question demonstrates the landscape qualities that are identified as important for that designation.*

A4.2.10 The Landscape Institute supports the evidence-based approach. The Landscape Institute does not consider that planning authorities which removed local designations following previous policy guidance, or those which never had local landscape designations, should be considered to have no 'valued landscapes' outside nationally designated areas.

A4.2.11 Where a landscape has a statutory status, it will not be necessary to undertake an assessment based on Box 5.1 of GLVIA3 or the factors identified in Table 1 of this TGN. It may also be unnecessary where a local designation is supported by a strong evidence base. However, where there is little published evidence to support existing local landscape designations, an assessment based upon these factors would be helpful to support planning decision making.

Valued landscape definition

A 'valued landscape' is an area identified as having sufficient landscape qualities to elevate it above other more everyday⁴⁴ landscapes.

A4.2.12 Where possible the development plan should be referenced to support the value placed on the landscape. Where the development plan is silent, evidence should be provided in the form of professional analysis. Key points to note are as follows:

- *It is not possible to set a definitive threshold in this TGN above which a landscape is considered to be a 'valued landscape'. It is a judgment that must be made on a case-by-case basis, based on the evidence. There should be a weight of evidence that supports the recognition of a landscape as valued above more everyday landscapes.*
- *The character and quality of landscapes across England are variable and what may be defined as reaching the 'valued landscape' threshold/criteria in one part of the Country may be considered to be an 'everyday landscape' in another.*
- *It would be expected that a 'valued landscape' would demonstrate the presence of a number of indicators of landscape value, as set out in Table 1, although it is possible for one indicator to be of*

⁴² Planning Policy Statement (PPS 7): Sustainable development in rural areas (ODPM 2004) – see Appendix A3.

⁴³ App 3215534 Tuffs Road and Maple Way, Eye, Suffolk (March 2020) The local plan policy was based on an old structure plan and the parties agreed there was no evidence base for that.

⁴⁴ 'Everyday' landscapes may nevertheless have value to people.



such importance (e.g. rarity, association or perceptual aspects) that the landscape is judged to be a 'valued landscape' even if other indicators are not present.

- *The identification of landscape value needs to be applied proportionately ensuring that identification of 'valued landscape' is not over used.*
- *In line with the ELC's approach, landscapes that are not judged to be 'valued landscapes' may still have value, and NPPF paragraph 170 b) requires planning policies and decisions to recognise the intrinsic character and beauty of the countryside. It is well-established that a landscape does not have to be a 'valued landscape' to be afforded protection from inappropriate development (**see Appendix A5**).*



A5 (Appendix 5) Inspectors' decisions and case law in relation to the interpretation of 'valued landscapes' in the National Planning Policy Framework (NPPF) in England

A5.1 Introduction

A5.1.1 This Appendix summarises how inspectors' decisions and case law have dealt with the interpretation of 'valued landscapes', first set out in Paragraph 109 of the NPPF 2012 which referred to 'protecting and enhancing valued landscapes'. This was subsequently updated in Paragraph 170 of the revised NPPF 2018 (with the addition of the qualifying phrase 'in a manner commensurate with their statutory status or identified quality in the development plan') and carried forward to the 2019 NPPF.

A5.1.2 The aim of this Appendix is to demonstrate some of the permutations of the arguments and evidence presented in relation to valued landscapes. Planning appeal decisions, by Inspectors and the Secretary of State, must be read as a whole to understand the full context of decisions, noting that Appeal decisions are made independently and on the basis of the evidence before the Inspector or Secretary of State at that time. Interpretation of policy intentions and meanings can only be determined by the Courts.

The 'Stroud Judgement'

A5.1.3 The 'Stroud' Appeal decision in 2014 is of significance because it became the subject of the first definition of 'valued landscape' (in relation to Paragraph 109 of the NPPF) by the courts. An Appeal was made by Gladman Developments Ltd against Stroud District Council's refusal of planning permission for 150 houses at the foot of the escarpment to the Cotswold Hills (Appeal reference APP/C1625/A/13/2207324). In his decision, the Inspector acknowledged that there was no agreed definition of 'valued' as used in Paragraph 109 of the NPPF and that in the absence of any formal guidance on the point, he considered that to be valued would 'require the site to show some demonstrable physical attribute rather than just popularity'. He went on to say that 'In the absence of any such designation, I find that paragraph 109 is not applicable to the appeal site' (Paragraph 18). In this instance, the Inspector found that the site was not a 'valued landscape' and allowed the Appeal.

A5.1.4 Stroud District Council challenged the Inspector's decision (summarised above) in the High Court on four grounds including the Inspector's approach to valued landscape. During the hearing between Stroud District Council and the Secretary of State for Communities and Local Government & Gladman Developments Limited, the Council suggested that the Inspector equated valued landscape with designated landscape. In his judgement (dated February 2015) Mr Justice Ouseley stated that if the Inspector had concluded that designation was the same as valued landscape he would have been wrong because in the NPPF, 'the word "designation" is used when designation is meant and "valued" is used when valued is meant and the two words are not the same'. Mr Justice Ouseley then considered whether the Inspector really meant that he equated designation with valued landscape and concluded that he did not. He judged that the Inspector knew that designation was not the start and finish of the debate. He concluded that '... in the end I am satisfied that the Inspector did not make that error. In particular, the key passage is in the third sentence of paragraph 18, in which he said that the site to be valued had to show some demonstrable physical attribute rather than just popularity' (Paragraph 14).



A5.1.5 In Paragraph 16 of the judgment he explains the Inspector’s reasoning: ‘It is not difficult to see that the sort of demonstrable physical attributes which would take this site beyond mere countryside, if I can put it that way but into something below that which was designated had not been made out in the Inspector’s mind’.

Demonstrable physical attributes

A5.1.6 Following this judgment a number of Inspectors have considered the issue of what constitutes a valued landscape by reference to ‘demonstrable physical attributes’ that take the landscape beyond ordinary countryside and this phrase was taken as a general principle by many. However, in a later judgement (CEG Land Promotions II Lts v SoS HCLG 2018 EWHC 1799), Mr Justice Ousley made it clear that he was not laying down any general principles when he concluded that it was reasonable for an Inspector to look for such demonstrable physical attributes in reaching a conclusion on valued landscape (Paragraph 58).

The role of the site in the wider landscape

A5.1.7 When assessing landscape value, there has been a growing consensus regarding the importance of looking at the role that a site plays in the wider landscape and not limiting the assessment to the site itself. The Inspector for APP/Z1510/W/16/3160474 (West Street, Coggeshall, July 2017) concluded at Paragraph 30 of her decision as follows:

‘Whilst the Framework paragraph 109 test based on the Stroud case (which I shall consider later) refers to “this site” I consider that it would be too narrow to just consider the appeal site. A site might have a variety of characteristics but, taken in isolation, for some sites it would be difficult to assess whether those characteristics have any particular value or importance. Moreover, a site might be important because of its position in the landscape as part of it rather than being important in its own right, rather like the pieces of a jigsaw puzzle. Further, as my colleague in the Nanpanton Road appeal sets out, the interactions between people and place are important in the perceptions of landscape and people will perceive the site in a wider context’.⁴⁵

A5.1.8 While this decision pre-dates the amendment of the NPPF, its approach to assessing landscape value remains relevant.

Does a lack of local landscape designation preclude the presence of a valued landscape?

A5.1.9 An Inspector in his report for Appeal 3197293 (Pods Brook Road, Braintree, Essex) concluded that ‘A straightforward reading of paragraph 170(a) does not lead to the view that there are other categories of valued landscape (which are not statutorily designated or identified in a development plan)’⁴⁶ and he equated this with some form of protection in the development plan. This interpretation was accepted by the Secretary of State, although the acceptance was implicit not explicit. However, this interpretation has not been adopted by other inspectors as set out in the following paragraphs.

A5.1.10 An inspector in a decision letter for APP 3200335 (Watlington Road, Lewknor) made clear that he considered the lack of a local landscape designation should not preclude the presence of a valued landscape: ‘It would be wrong in my view to conclude that a landscape cannot be considered as valued simply because it was not identified in a development plan formulated at a time when no such requirement existed’.⁴⁷

A5.1.11 In this instance the inspector was not persuaded that the landscape in question was a ‘valued landscape’ but this judgement was based on the evidence the parties had put to him about the value of the landscape rather than lack of a local designation.

A5.1.12 In relation to App 3207509 (Land off Colchester Road, Bures Hamlet) the Inspector concluded ‘Neither, having regard to Paragraph 127, do I consider that the exhortation to protect and enhance “valued” landscapes is necessarily limited to landscapes that have either a statutory designation or a local designation in the development plan’ (Paragraph 21). In this case an evaluation for potential

⁴⁵ APP 3160470 West Street Coggeshall Inspector Hill Paragraph 30 2017

⁴⁶ Appeal 3197293 Pods Brook Road, Braintree, Essex Inspector Clegg Paragraph 185 June 2019

⁴⁷ APP 3200335 Watlington Road, Lewknor Inspector Baugh-Jones Paragraph 40 January 2019



extension of the Dedham Vale AONB to include the land in question had been undertaken and so there was a detailed evidence base to demonstrate landscape value despite the lack of designation.

A5.1.13 In relation to App 3214324 (Poplar Hill, Stowmarket, August 2019) the inspector concluded that the development would harm a valued landscape even though the site was not located within a nationally or locally designated area. Additionally, it was in a district that still had local landscape designations. The inspector was concerned with the harm that would arise to features in the landscape surrounding the appeal site as a consequence of development on the appeal site, stating:

‘Although the site is not recognised in published documents as an exemplary or outstanding component of the Suffolk landscape and its development would in some ways be consistent with characteristic patterns of development along valley sides, the appeal proposal would compromise the appreciation of sufficiently impressive examples of other characteristic features of the landscape as to cause an unacceptable effect on the landscape character and appearance of the area. These characteristic features are Combs Wood and St Mary’s Church both of which have statutory status and so would qualify the landscape to be regarded as valued, to be protected and enhanced in terms of NPPF paragraph 170(a)’.⁴⁸

Implication of the NPPF wording for local landscape designations?

A5.1.14 There has been some speculation as to whether the addition of the qualifying phrase ‘in a manner commensurate with their statutory status or identified quality in the development plan’ to the 2018 version of the NPPF (and carried forward to the February 2019 version) will result in a resurgence of local landscape designations. In his decision letter, the Inspector for App 3207509 (Land off Colchester Road, Bures Hamlet) concluded:

‘22. The Framework does not provide a definition of a valued landscape. However, *I consider it improbable that the addition of the words in brackets to paragraph 170(a) which occurred in July 2018 was intended to encourage policy makers to revive the practice of creating local “Special Landscape Areas” or similar designations in development plans* as a means of identifying a valued landscape. Previous advice had sought to discourage such designations in favour of landscape character assessment which would identify the distinctive and valued qualities of landscapes’⁴⁹ (emphasis added).

A5.1.15 Other inspectors suggest the local plan process is the proper forum for landscape value to be considered and for designations to be made. For example, the inspector for App 3200409 (Old Street, Stubbington, January 2019) concluded:

‘30 a . . . the landscape is not specifically recognised for its quality in the current development plan. This is because local landscape designations fell from favour in national planning policy. Previously, the Lower Meon Valley had been identified as an Area of Special Landscape Character.

31. *In view of para 170 the matter of landscape value will no doubt be considered through the emerging Local Plan process. That is the proper forum for any designation to be made.* However, until that time it is difficult to understand why there would be a change in terms of intrinsic value’⁵⁰ (emphasis added).

If a landscape is not a ‘valued landscape’ can it still have value?

A5.1.16 At the appeal in relation to Bayley Gate Farm, College Road, Cranfield Appeal 3190779 neither the council’s nor the appellant’s landscape architect considered that the site was a valued landscape. Nevertheless, the inspector concluded that this did not mean it had no value, stating:

27. ‘The site does not form a valued landscape for the purposes of paragraph 109 of the National Planning Policy Framework (the Framework), a position accepted by both parties. *That however does not mean that it has no value* and although it may not be rare or have significant conservation interest or have any known associations it is very representative of the wider landscape, has a pleasant and attractive scenic quality and is in good condition. Its arable

⁴⁸ App 3214324 Poplar Hill, Stowmarket Inspector Clark Paragraph 81, August 2019.

⁴⁹ App 3207509 Land off Colchester Road, Bures Hamlet, Inspector Mellor, Paragraph 22, March 2019.

⁵⁰ App 3200409 Land west of Old Street, Stubbington, Hampshire, January 2019.



nature, strong boundary hedge and tree treatment ensure that it, along with the surrounding fields, narrow country lanes, bridleway and public rights of way create a strong rural character⁵¹ (emphasis added).

⁵¹ App 3190779 Bayley Gate Farm, College Road, Cranfield Inspector Stone Paragraph 27, July 2018.

