

Consultation paper on a new Planning Policy Statement: Planning for a Natural and Healthy Environment – Questions and response form

Respondent category:	Public (individuals not affiliated to any group)	<input type="checkbox"/>
	Business (including business trade associations)	<input type="checkbox"/>
	Charities, environment and community groups	<input type="checkbox"/>
	Government bodies (regional planning bodies, local authorities, government agencies and non-departmental government bodies)	<input type="checkbox"/>
	Professionals and academics (including representative bodies for professionals)	<input checked="" type="checkbox"/>

If this is not an individual response, which organisation do you represent?

The Landscape Institute (LI).

Who does the organisation represent?

Approximately 6000 landscape architects, landscape scientists and landscape managers.

Please give a summary of the organisation's role.

The LI is an educational charity and chartered body which promotes the protection, conservation and enhancement of the natural and built environment for the benefit of the public. It champions well-designed and well-managed urban and rural landscape. The LI's accreditation and professional procedures ensure that the designers, managers and scientists who make up the landscape architecture profession work to the highest standards. Its advocacy and education programmes promote the landscape architecture profession as one which focuses on design, environment and community in order to inspire great places where people want to live, work and visit.

If applicable, how have the views of members been assembled?

A combination of LI Policy Committee discussions and contributions from the wider LI membership. The LI's Policy Committee was responsible for the development of the organisation's position statement on the subject of green infrastructure: <http://www.landscapeinstitute.org/PDF/Contribute/GreenInfrastructurepositionstatement13May09.pdf>

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E-mail address:	stephenr@landscapeinstitute.org
Confidentiality:	<input checked="" type="checkbox"/> Please tick if you wish your responses to be treated as confidential and provide reasons for this request (see paragraphs 4 in 'The consultation process' section of the consultation document).

Questions on which we would particularly like your views:		
1. Do you support the consolidation and streamlining of policies on the natural environment, green infrastructure, open space, sport, recreation and play into a single planning policy statement?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Comment: n/a		
2. Does the proposed PPS address sufficiently all the issues that planners and others face in relation to protecting the natural environment, delivering green infrastructure and other forms of open and green spaces, and land and facilities for sport, recreation and play?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
Comment: <p>Green infrastructure (GI) is not sufficiently distinguished from open space within the proposed PPS, although there are some references that are helpful. The primary focus for GI should be on its multifunctionality. This is enhanced by each of its elements, or GI assets, being connected as part of a network. The GI assets may be street trees, streams, green roofs, parks, football pitches or private gardens – each with their own primary function but each making a significant contribution to the GI network and the ecosystem services that this provides. A key driver to this being realised is multi-disciplinary and cross-organisational cooperation and coordination, and this is particularly important at early stages in the decision-making process. The role of Local Planning Authorities in promoting, encouraging and enabling this should be explicitly referred to within the revised PPS.</p> <p>The sensitivity of the natural environment and its living component parts is not adequately addressed in the proposed PPS. The planning system has a vital role in ensuring that environmental quality is delivered and secured in the long term to fulfil policy objectives and community aspirations. Good planning and informed design must be followed through with careful implementation and well-resourced post-completion aftercare. For example, an approved development drawing showing a retained tree and newly planted trees is no guarantee that the retained tree will not be damaged during construction or that new trees will be nurtured to maturity. The recent proposed revisions to Circular 11/95 on the Use of Planning Conditions have omitted much useful contextual guidance on the need to treat landscape and tree issues as special cases in the planning system. This proposed PPS fails to fill that gap or refer to the importance of addressing successive stages of delivery with equal care to achieve the intended results. This may be covered more fully in the supplementary guidance, but there should at least be reference to the vulnerability of the natural environment to a lack of care resulting in a failed or sub-standard scheme. This would apply equally to landscape and biodiversity issues.</p> <p>The LI also has concerns that the proposed PPS fails to build on the best of PPS9, which has been effective in emphasising the enhancement and improvement of biodiversity, rather than simply statutory or designated sites of species, on 'all development sites'. The proposed PPS fails to provide a similar imperative.</p> <p>The proposed PPS does not address the fundamental issue of maintenance and management of the urban and rural landscape. All elements of the natural environment will require post-development aftercare, involving regular maintenance and long-term management. The planning system should raise awareness of this and should use its powers to obtain assurances that future management and ongoing monitoring for performance is paid due regard and that appropriate resource, in terms of expertise and funding, are reasonably assured. This is essential if the benefits of multifunctional GI are to be continually delivered and sustained for the future.</p> <p>Finally, the proposed PPS fails to make the connection between good design and functionality. Design only appears twice in the document, each time in the context of biodiversity. Good design is critical in delivering the wide range of functions that GI can provide, as outlined in our response to question 3, and revisions to the PPS should reflect this significance.</p>		
3. Do you agree with the requirement for local planning authorities to continue to produce, and keep up-to-date, open space strategies which are based on assessments of local need and audits of existing provision (NE1.3)?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Comment: Yes, however this is subject to more detailed commentary which can be seen in response to question 10.		

4. We propose that local planning authorities should take a strategic approach to the delivery of green infrastructure (NE4), but not to produce and publish a formal strategy (although they can do so if they choose). Do you agree with this proposal?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Comment:

Adopting a strategic GI approach to land use planning, design and management has the potential to deliver against a wide range of policy objectives, including biodiversity, health, education, economic development, flood/water management and climate change mitigation and adaptation. A strategic approach requires a strategy. The potential to use our finite land resource in a more efficient and sustainable way means that, while we appreciate the issue of resourcing the preparation and implementation of GI strategies, such activity would represent an effective use of resources. We recognise that many local authorities have completed PPG17 compliant open space audits and strategies. These may form a basis for updated green infrastructure strategies, informed by the broader functions associated with green infrastructure and an amended typology.

Local Planning Authorities should therefore be required to prepare a formal GI strategy, most usefully in conjunction with relevant neighbouring authorities, based upon surveys of needs, opportunities and potential. It would be desirable for GI strategies to be developed at the sub-regional, or possibly county (where two-tier and depending on size), not at a district level, to reflect the geographical rather than political boundaries required for effective delivery.

Furthermore, NE1.3 requires the local planning authorities to undertake assessments of existing and future need in terms of GI, and NE4.1 requires them to provide for GI. The LI wholeheartedly supports these requirements, which only strengthen the case for a need to produce GI strategies. It is also worth reminding the Department of the recommendations from the recent Environmental Audit Committee report, [Adapting to Climate Change](#), which highlighted the importance of a strategic GI approach to land use planning.

5. Do you agree that the proposed policy NE4 will deliver the Government's objectives without imposing any significant new burdens?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Comment:

We appreciate that it will be difficult for local planning authorities to allocate resources in-house to carry out the necessary work involved in surveys, strategy preparation and delivery. There should, however, be considerable opportunity for economies of scale through working with other departments, other authorities and other interested organisations, thus spreading the load, sharing skills and achieving more effective results. Government policy should emphasise the need for public bodies and other agencies to work collaboratively at a sub-regional level to encourage this process. New technology, particularly the use of aerial/satellite photography and GIS will contribute to efficient working.

6. The amended wording of planning policy relating to the floodlighting of sports and recreation facilities (NE11) makes it clear to local planning authorities that they should balance the impacts on amenity and biodiversity against the wider benefits to the community in terms of health and wellbeing and the additional provision of facilities. Do you agree with this proposal?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>

Comment:

Yes – subject also to appropriate technical assurances, supported by data, being provided by Local Planning Authorities regarding lighting coverage, visibility and impact assessments. We accept that the use of floodlighting would extend the use of sport and recreational facilities; however guidance should be provided on the acceptable distance of floodlit facilities from potential sources of conflict.

7. Do you agree that the proposed policy NE11 will deliver the Government's objectives without imposing any significant new burdens?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>

<u>Comment:</u> Yes – subject to comments in response to questions 5 and 6.		
8. Do you agree with the conclusions of the consultation stage impact assessment?	Yes	<input type="checkbox"/> n/a
	No	<input type="checkbox"/> n/a
<u>Comment:</u> The LI partially agrees and partially disagrees on this point. The objectives of the proposed PPS emphasise the benefits of GI, and the need for the planning system to address this effectively. Preferred Option A combines new policy on GI (and use of floodlighting) with part of previous policy statements on biodiversity, the rural economy and open space. This approach is supported in principle. However, the content of the consultation draft does not reflect the emphasis of its objectives; it appears to have far more content on biodiversity-related issues and very little on GI. Moreover, the document does not appear to provide sufficient clarity of distinction between GI and open space. Nor does it fully reflect or sufficiently assist in addressing the particular challenges involved in dealing with the successful delivery of landscape, biodiversity and technical aspects of GI implementation. The draft PPS on Planning for low carbon development in a changing climate refers to the importance of green infrastructure in addressing this issue. We would like to see greater congruence between these two documents, with emphasis upon the potential functions of green infrastructure and a single, comprehensive definition of the term.		
9. Do you think that the policies in this proposed PPS will have different impacts, either positive or negative, on people because of their gender, race or disability? If so, how in your view should we respond? We particularly welcome the views of organisations and individuals with specific expertise in equality and diversity matters.	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
<u>Comment:</u> n/a		
10. Do you have any additional comments to make on this proposed PPS?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
<u>Comment:</u> The LI has a range of additional comments on the proposed PPS which are outlined below in accordance with each of the policy areas for ease of reference.		

Additional comments

Title

The LI would strongly recommend that the draft PPS be retitled “Planning for **Green Infrastructure** and a Healthy Natural Environment”.

The proposed amended title better reflects both the objectives and the (revised) content and may be viewed as more relevant to the planning system’s responsibilities and powers.

The Government’s Objectives – page 15

The emphasis here appears to be on conservation and protection. It is desirable for planning to take a more proactive approach by promoting the integration of well-planned, designed, executed and managed open space in new development and encouraging closer and more informed consideration (through the planning system) of the functional benefits that this can provide.

Therefore, the LI recommends the following insertion to the official text (highlighted in bold):

*“...as well as providing for the development needs of all in the community, contributing to economic growth and supporting social justice, planning should ensure that development **incorporates the benefits of well-designed and functional open space** and is delivered in a way which protects and enhances the natural environment and provides places which contribute to the quality of life, health and wellbeing of those living and working there.*

In addition to this, the LI recommends that two additions are made to the list of bullet points outlined on page 15:

- Seek and encourage opportunities to incorporate natural systems and ecosystem services within new development.
- Seek and encourage opportunities for open or undeveloped space, both existing and new, to contribute to networks of multifunctional green infrastructure.

Policy NE1: Evidence base for plan-making – page 16

NE1.2

The LI recommends strongly that the following bullet points are added to the list of aspects to be identified by regional authorities:

- Sub-regional and local landscape character areas, as defined by National Character Areas (Natural England), local assessments (County, Unitary, Boroughs, District Councils) and historic landscape character assessments (English Heritage and local authorities)
(This will address the commitments of the European Landscape Convention, the place-making agenda and will assist in informing location, layout, design and management proposals).
- Sub-regional green infrastructure strategies and their objectives
(This will address the emerging GI agenda).
- Water catchment areas/river basins of strategic significance
(This recognises the implications of the Water Framework Directive).
- Flood risk areas.
(This addresses the potential contribution of GI and open space to run-off amelioration).

Policy NE2: Regional planning approach – page 16

NE2.1

Under bullet point (ii), the LI recommends the inclusion of programmes of managed retreat in addition to restoration and recovery, for example, the Alkborough Flats managed realignment project in North Lincolnshire, see: <http://www.landscapeinstitute.org/casestudies/casestudy.php?id=15>

Policy NE3: Local planning approach for the natural environment – page 17

NE3.1

Under NE3.1, the LI queries what the priorities, objectives and targets are for landscape and geodiversity. In addition to this, though the European Landscape Convention (ELC) is rightly mentioned as part of the policy background of the PPS, the proposed PPS does not seem to have been informed by the requirements of the ELC at all. The key themes of the ELC (all landscapes matter, the preparation of Landscape Character Assessments and objectives, public participation and preparation of action plans) are not covered adequately in the proposed PPS. The LI recommends that the revised PPS rectifies these deficiencies in line with the Government's commitments under the ELC.

NE3.3

The LI is concerned that the proposed PPS does not allow for, or may preclude, positive intervention in landscapes that are degraded. Natural England's 'All landscapes Matter' policy is a useful reference here, particularly as it encapsulates the spirit and intent of the ELC.

Under bullet point (ii), the assumption appears to be that local designations are unduly restrictive, yet says that locally valued landscapes should have strong protection. Presumably, local biodiversity site designations should also not be unduly restrictive although, as the LI understands it, these are to be retained. Landscape character assessment usually covers the whole landscape, not just 'highly valued' ones. There is a need for good design and response to local distinctiveness everywhere under the landscape character assessment approach but also strong landscape protection for highly sensitive/valued local landscape.

The key issue is that there should be an evidence base to support designations or policies that apply to landscape issues. When carried out in accordance with established methodologies, landscape character assessment provides, inter alia, a sound basis for this. It can establish criteria against which plan or project proposals or the need for management intervention may be properly assessed in the interests of good planning.

The LI recommends the addition here of a bullet point which should read:

“Elements of open or green space that comprise GI (known as GI assets), based upon services or functions provided by these”.

If green infrastructure is to be effective and if its functions are to be maintained in the long term, its components need to be clearly identified and evaluated. It would be helpful if significant GI assets were recorded in a GIS compatible format and for this to be publicly available online, as for example Natural England's Nature on the Map denotes significant nature conservation areas.

Policy NE4: Local planning approach for green infrastructure – page 18

NE4.1

Bullet point (ii) is an example of the biodiversity-led approach to this proposed PPS. Other GI functions, of which there are many in addition to provision of natural habitats, will be adversely affected through loss, fragmentation or isolation. The LI recommends that this is reflected here.

Bullet point (iii) would benefit by other green infrastructure functions being referred to, in addition to habitat provision, to ensure that the multifunctional nature of GI is fully understood.

The second (?) bullet point (iii) should explicitly state the importance of promotion and delivery of opportunities to enhance the functions provided by urban green spaces. It is not enough to simply identify; policy should aim to deliver.

It is important that NE4 also addresses storage of water (whether fresh or, more sustainably, grey sources) for the irrigation of GI. Water storage, replenished during wetter winter periods and available during drier summers, may need to form a key element of GI. This will be essential to the continued delivery of GI benefits particularly during periods of drought. The LI is concerned that the proposed PPS does not recognise the importance of this, nor the links with benefits which are stated in NE4.1 – flood water storage areas and sustainable drainage systems. There is also no recognition in the proposed PPS of the fact that the cooling effects of GI assets such as urban trees and greenspace (particularly important with regards climate change adaptation and mitigation) are diminished if they are allowed to dry out.

Policy NE5: Local planning approach to open space, sport and recreation – pages 18/19

At present, policy NE5 within the proposed PPS does not pay sufficient attention to the issue of the accessibility of open space. It is important that when identifying surpluses of open space that accessibility is considered. For example, school playing fields which are not open to the wider community while they are not being used by schools cannot be included in the overall assessment of open space available to a community.

The LI strongly urges the inclusion of an additional policy here. Whilst the primary use of open space allocations may be for sport, recreation and play facilities, their contribution to multifunctional GI may be enhanced through planning, design and management interventions. The additional policy should read as follows:

“NE5.6 Local planning authorities should identify opportunities for land used for sport, recreation, and play facilities to make a contribution to the functions and services provided by green infrastructure, including issues of biodiversity and local landscape character”

Policy NE8: Policy principles guiding the determination of applications in relation to the natural environment – pages 19/20/21

NE8.1

The LI recommends the inclusion of character and context in addition to “...siting, operational and other relevant constraints”. For greater clarity, the final sentence could usefully be amended to read “In considering effects on urban and rural landscape”.

It would also be helpful to clarify what is meant by the term ‘significant harm’ – the lack of clarity could result in confusion regarding planning decisions.

NE8.3

This paragraph refers to the protection of SSSIs. The use of the term 'where possible' implies that conservation and enhancement are only required 'if possible'. The LI considers that this is a weak position, considering it is in relation to some of the nation's most highly valued sites. There could be confusion regarding planning decisions due to this wording. The LI would like to see this revised so as to make it more clear what is, and what is not, expected when dealing with SSSIs.

NE8.4

Although NE8.4 seeks to protect trees in the urban and rural landscape, the policy does not prevent the loss of veteran trees and ancient woodland in all circumstances and envisages situations where the benefits of development could outweigh the importance of trees. The protection of trees through Tree Preservation Orders is overridden by the granting of planning permission. The policy does not consider hedgerows protect by regulation and their protection is, again, overridden by the granting of planning permission. The current trend, on economic grounds, to maximise the size of warehousing in rural locations currently puts hedgerows, whether protected or not, at risk. This is particularly relevant for areas outside of National Parks and AONBs which suffer from lower level protection.

NE8.5

This refers exclusively to conservation and management. There needs to be some reference to enhancement here.

Under bullet point (iii) the LI recommends the deletion of the word "detrimental" to ensure that all effects are assessed (including positive). Assessment should include a risk of potential negative effects and, where such a risk exists, for appropriate mitigation measures to be considered.

NE8.6

NE8.6 refers to 'major developments in nationally designated areas should be carried out to high environmental standards...' The LI strongly recommends that 'carried out' be replaced with 'planned, designed, implemented and managed' as this is more descriptive of the actual activities that need to be undertaken to ensure successful intervention in the landscape.

NE8.6 also refers to "...use of conditions where necessary". The LI recommends that planning obligations are also included here, as long-term management plans may be vital and will be best delivered through such means.

NE8.7

This paragraph should also refer to maximising the opportunities for building-in beneficial green infrastructure and landscape features. The LI believes that local authorities should carry out local surveys and audits of these items and identify them in the Local Development Framework proposals map, with accompanying local policy (Core Strategy and SDP) support.

NE8.8

Similarly, green infrastructure, landscape and heritage assets have also been omitted under NE8.8. The revised PPS should include these here, in addition to biodiversity and geodiversity.

NE8.9

The reference to 'little weight' being attached to agricultural land classifications 3b, 4 and 5 should not preclude local authorities considering opportunities for such land to make a positive contribution to green infrastructure including, for example, woodland cover, as distinct from crop or other food production uses.

Policy NE9: Policy principles relating to the maintenance of an adequate supply of open space, green infrastructure, sports, recreational and play facilities – pages 21/22

NE9.1

The LI recommends that the paragraph should be enhanced with the addition of the following phrase after the word "...perform"

"...including its existing or potential contributions to green infrastructure"

NE9.1 would also benefit from further definition of functionality, with a view to highlighting the multiple functions that open space can perform. These functions are explained in greater detail in the LI's position statement on the subject as explained in the LI's position statement on the subject, [Green infrastructure: connected and multifunctional landscapes](#).

NE9.4

Bullet point (i) should include reference to erosion of capacity, in addition to function.

Bullet point (iii) would benefit from the removal of the term open space, to be replaced with “green infrastructure and local community access, needs and activities”.

NE9.4 should also include reference to avoiding adverse impact on ‘tranquil areas’.

Policy NE13: Sport and recreation provision in nationally designated areas

NE13.2

NE13.2 should consider development not only within National Parks and AONBs, but locations that affect the settings of these designated areas.

Annex A – Definitions

There is no mention of historic landscape / heritage assets associated with the land, as distinct from buildings. Need to co-ordinate with PPS5 and recognise importance of historic landscape character as well as conventional landscape character assessments.

Green Infrastructure – this definition does not sufficiently emphasise the potential role of GI in providing essential services to meet community needs. This is of increasing relevance in respect of reducing energy requirements and both mitigating and adapting to the effects of climate change.

It does not mention ‘ecosystem services’ as a useful terminology which embraces the technical design, application and use of green infrastructure assets (also not mentioned). This is particularly relevant in respect of ‘green’ or ‘soft’ engineering measures (and therefore low carbon / low energy) for water management, energy production, flood risk reduction and run-off attenuation, erosion control, windspeed and turbulence reduction, reducing urban heat island effects (through evapo-transpiration), shade, building insulation, carbon sinks, etc.

Footpaths and cycleways can provide attractive alternative transportation routes between residential and community service areas or facilities, as well as between open spaces, thus reducing car dependency.

Increased access to open space, particularly in areas of deficiency, has beneficial effects on community health.

GI assets can have significant local economic benefits – providing settings attractive to inward commercial and residential development; promoting / supporting tourism; food production; low / zero carbon energy production (bio-fuels, ground source heating / cooling, wind, hydro, etc.)

GI should also contribute positively to the place-making agenda, reflecting and enhancing the distinctiveness and identity of local areas through landscape characteristics.

Open Space – this refers usefully to open areas of public value and is therefore distinct from ‘public open space’ in its potential to include private land and landscape features that contribute to the public domain but which may not be in public ownership nor accessible to the public. This might usefully be made more explicit.

It would be helpful to refer somewhere in the annex to both the Fields in Trust Six Acre Standard and Natural England’s Accessible Natural Greenspace Standard (ANGst).

Annex B – Open space and green infrastructure typologies

It would be helpful to refer here to Green Infrastructure Assets, which will include, but not be limited, to open space. It is important to reduce confusion between GI, open space, public open space and green space. The use of a table format, aiding understanding of the distinctions and common areas between these different terms, may be helpful here. The distinction between green infrastructure and open space should certainly be emphasised in the typologies to address the prevalent confusion between the terms.

Privately owned open space, trees and gardens are important (as are green roofs and walls which are mentioned). The key attribute of GI will be its functionality, which should be recorded, rather than its ownership or accessibility. In many cases the GI functionality may be secondary, rather than primary, and multiple. For example, a car park may provide a setting for trees and for a ground source heating and cooling installation. A railway line may provide for urban greenery and an ecological corridor.

Trees are not mentioned within the typology or in the policies, although useful reference is made on p.53 of the draft document under Health Impact Assessment. Street trees and trees on private land are very significant GI assets, especially in existing urban areas with little green open space, where retro-fitting may be a priority.

Private gardens may be significant GI assets, particularly in suburban areas.

Land that is not conventionally associated with open space may have significant GI potential subject to appropriate design and / or management change. This could include car parks, railway and motorway corridors, business parks, land associated with and incidental to primary institutional or commercial use (e.g. defence, water, hospitals, energy, agriculture, etc).

Conclusion

The Landscape Institute generally welcomes the principles embodied within this PPS, in particular the potential importance increasingly attached to green infrastructure provision. Members of the Institute have been closely involved in contributing to guidance on this issue, both for our own Position Statement and for documents produced by other bodies, such as Natural England, CABI and the TCPA. The Institute would therefore be very pleased to participate in the preparation of the proposed companion guidance that should assist all those to whom this PPS may be relevant.

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