

# National Planning Policy Framework draft consultation

## Response from the Landscape Institute

April 2018

### Who we are

The Landscape Institute (LI) is the royal chartered body for the landscape profession. As a professional organisation and educational charity, we work to protect, conserve and enhance the built and natural environment for the public benefit. The LI represents 5000 landscape managers, planners, architects, designers, and scientists, working across urban and rural areas.

### Response to individual questions

#### **2. Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?**

The amendments to this section are broadly positive. ‘Sustainable development’, correctly defined, is a useful guiding principle for planning.

Paragraph 8: The objectives set out in paragraphs 8-10 are very welcome; however, the text at 8 c) could be clarified and improved. The phrase “use natural resources prudently” should be replaced with “promote ecosystem services” or “promote the wider benefits of natural capital”.<sup>1</sup> “Natural resources” can be misconstrued to refer solely to paid-for resources, or even solely to mineral resources.<sup>2</sup> “Ecosystem services”/“natural capital” makes clear that this would cover non-paid-for services like clean air, in line with the statement at paragraph 168 b).<sup>3</sup>

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<sup>1</sup> See comments on Chapter 15.

<sup>2</sup> For instance, the Oxford Dictionaries definition: “Materials or substances occurring in nature which can be exploited for economic gain”, [https://en.oxforddictionaries.com/definition/natural\\_resources](https://en.oxforddictionaries.com/definition/natural_resources)

<sup>3</sup> NB: The phrase “ecosystem services” does not appear in the new NPPF, due to the amendments to paragraph 109 (NPPF12) which have reworded it as “benefits from natural capital”. We are not opposed to this change, as both terms tend to refer to the same concept. Both are relatively new terms, however, and care should be taken to ensure that these expressions are well understood and that the principle is not lost over time - especially in view of the findings of the National Ecosystem Assessment Reports and government commitments in the Defra 25 Year Plan.

### **3. Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?**

On the basis that all the core principles are retained elsewhere in the NPPF, we support the aim to remove redundant or duplicated content. A simpler, more straightforward planning framework will enable public engagement and better decision-making.

However, we note that whilst much of the *content* of Chapter 2 has been retained elsewhere within the NPPF, the changes to the structure of the document (particularly the changes made in Chapter 3) make it unclear how this content is to be weighted and applied.

Paragraph 17 of NPPF12 included essential principles: such the references to “high quality design and a good standard of amenity”, and the “the intrinsic character and beauty of the countryside”. Whilst these principles are usefully reiterated elsewhere in the NPPF, they are not included amongst the strategic policies listed at paragraph 20.

We are therefore concerned that such essential policies will not find a home in either a multi-authority strategic plan, nor in localised neighbourhood plans. In which case the core principles of paragraph 17 (NPPF12) will not have been retained as intended.

We urge a re-working of Chapter 3 to address this (see response to question 5).

Furthermore, one of the key principles (paragraph 17 NPPF12) has been lost: the role of creativity. Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives. This fundamental competency of planning should be included at paragraph 16, or reiterated elsewhere in the new NPPF; for instance in Chapter 12, in order to emphasise the aspirational role of design in the creation of sustainable communities.

We believe that paragraph 16 is an appropriate place to make a stronger commitment to meeting the aspiration of the Government’s 25-Year Environment Plan, for instance through the addition of a bullet which reads contain policies that promote an ‘environmental net gain’.

### **5. Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?**

No. We believe much greater clarity is needed in Chapter 3 – particularly paragraphs 18-21 – about the relationship between strategic, local, and neighbourhood planning; the prioritisation of policies within each; and the legal requirements placed upon local planning authorities. The revised draft is unclear about the level of detail required in plans at each level, and has the potential to create confusion.

If it is the intention that only plans which meet the policies at paragraph 20 a)-f) would be required, to be supplemented at a local level by a potential neighbourhood plan, then we would be opposed to that change.

Sub-national strategic plans can be very beneficial at addressing cross-boundary issues (including those related to landscape), and neighbourhood plans can be beneficial at empowering local communities. However, neither has yet demonstrated that they can be an adequate replacement for the detailed locally-sensitive policies which have – to date – found their primary home in local plans.

Much greater clarity is needed. If this is an intended policy change, then additional consultation is required.

## **6. Do you have any other comments on the text of Chapter 3?**

Paragraph 20: We welcome the inclusion of “landscape and green infrastructure” at paragraph 20 f (however, please note our response to question 5, concerning the broader prioritisation of “strategic priorities”).

The word “character” should be added to 20 a), such that it reads “an overall strategy for the pattern, scale and character of development”. This would encourage a stronger articulation of design and landscape vision for an area.

Paragraph 25: Paragraph 25 should be clarified and expanded, or moved into paragraph 16 with additional content. The reference to evidence is useful; however, the current wording suggests that evidence is only useful in the setting of *strategic* priorities, and that this might be limited to “market signals”. Local planning authorities must take account of a wide range of evidence in the setting of a local plan, which should begin with a robust understanding of landscape as the context and setting of all forms of development.

Paragraph 29: Paragraph 29 is positive, but could be strengthened by referencing the need to review Statement(s) of Common Ground (SoCG) and to ensure they are up-to-date. This is not currently covered by extant planning guidance. The duty to co-operate is a vital tool, as landscapes transcend administrative boundaries. We support the approach set out on SoCGs, but would like to see them become a more dynamic tool which can guide and update upon progress, particularly in areas of disagreement.

Paragraph 34: We welcome the positive reference at paragraph 34 to green infrastructure as an asset that should attract developer contributions.

Paragraph 35: We welcome the reference to “net gain” at paragraph 35. However, it is unclear how this will be assessed and examined in practice, and we would welcome additional guidance (from MHCLG and/or Defra) on this point.<sup>4</sup> For consistency it would be helpful if paragraph 35 could be positively worded, similar to paragraph 118 (a): i.e. “taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access”

We do not support the removal of original paragraph 170 (NPPF12) which stated, “where appropriate, landscape character assessment should also be prepared, integrated with

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<sup>4</sup> The Landscape Institute is developing related standards and guidance for its members. It would be useful to work with government on this and any future planning guidance on this topic.

assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity". Although this has been included in the draft Good Practice Guidance, we believe it to be a matter more appropriately included in policy. Landscape character assessment is vital to inform good place-making and sustainable development.

**7. The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?**

We are strongly in favour of viability assessments being made publicly available. We believe public scrutiny of viability assessments would have a profoundly positive impact, particularly where they have been used to justify amendments to extant planning permissions.

We believe similar approaches should be adopted in the devolved nations via the respective planning systems.

**10. Do you have any comments on the text of Chapter 4**

We welcome the clarification of chapter 4.

Paragraph 41: We believe paragraph 41 could be improved by specific reference to the advantages of early use of appropriate design review services (in addition to the references made in chapter 12).

**11. What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?**

Paragraph 66: The changes in paragraph 66 are positive, and should provide greater certainty. The current situation where there may be up-to-five different methods for calculating a neighbourhood housing requirement creates confusion for local communities and inhibits the potential creation of Neighbourhood Plans.

The wording should be amended to note that this figure could be a range, rather than a single numerical target.

Paragraph 69 d): The proposed wording of paragraph 69 d) should be clarified, to indicate that the sub-division of a large site ought only to be undertaken within the context of an approved masterplan, infrastructure framework and landscape strategy for the entire area, to ensure against unsustainable piecemeal development.

Paragraph 71: The consideration of residential gardens is helpful, however we believe that the policy ought to make a greater allowance for analysis of proposals on a site-by-site basis. In some locations, such as rural villages, development in a secluded garden may have less adverse impact on the overall landscape than development in open countryside.

Paragraph 81 e): Isolated new homes in the countryside can only be supported if the design of both the building and the external spaces is truly exceptional, innovative and sustainable. We suggest a more robust form of words as follows: "... would help to raise standards of sustainable

design more generally ... would be sensitive to its surroundings, its landscape setting and to any existing natural and cultural assets."

**15. Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?**

We support the principle behind paragraph 85, to ensure that economically important development in rural areas is sensitive and sustainable. However, we believe that the text could be clarified as follows:

Paragraph 85: "Sensitive to its surroundings" is insufficiently clear on either the geographic scale or level of consideration required. This could be addressed by making clear the potential impacts on landscape character and other related environmental factors. For instance: "it will be important to ensure that development is sensitive to its surroundings, to its landscape setting and to any existing natural or cultural assets."

**16. Do you have any other comments on the text of chapter 6?**

Paragraph 84: We believe that greater care is needed in this section to manage risks associated with the pressures on rural businesses particularly in light of coming market and policy changes as a result of Brexit.

Farm and estate diversification is often essential to support the future viability of rural holdings and is likely to be more so following the UK's departure from the European Union. However, this diversification may fail to address wider concerns, such as landscape or other environmental impact. For instance, the development of Intensive Livestock Units and other large buildings (which are sometimes inappropriately classified as agricultural, rather than industrial use) has been the subject of challenge and appeal, due to their disproportionate impact.<sup>5</sup> There is a risk that market pressures post-Brexit will increase the number of inappropriate proposals in this area.

We suggest this paragraph would be a useful place to state the importance of demonstrating regard for landscape character, and the need for this to be addressed proactively in planning for future farm/rural development.

**20. Do you have any other comments the text of Chapter 8?**

Paragraph 92 c): The use of "green infrastructure" in this bullet point is potentially confusing, if the bullet is intended to refer solely to active lifestyles. "Green infrastructure" is not synonymous with "open space", and there are many types of green infrastructure which do not contribute directly to active lifestyles (e.g. certain trees, certain waterways). The line would

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<sup>5</sup> For instance, the March 2018 appeal decision made in relation to Bage Court Farm, Herefordshire, on the basis of the "character and appearance of the surrounding area". Planning Inspectorate reference: Appeal Decision APP/W1850/W/17/3188897

more appropriately read: “safe, accessible and well-designed green open space (including streets and other corridors), sports facilities...”.

Paragraph 97: Paragraph 97 concerning open space and recreation could make a stronger reference to the setting of local open space standards. These provide a valuable tool in ensuring that LPAs assess how accessible open spaces are to local communities, particularly children and older people. The setting of local standards (for quantity, quality and accessibility) also provides the mechanism to measure current and future provision in response to development and changes in urban density.

We recommend rewording paragraph 97 as follows: “Planning policies should be based on robust and up-to-date assessments of the need for open space, play, sport and recreation facilities (including deficits or surpluses for quantity, quality and accessibility) and opportunities for new provision. Information gained from the assessments should be used to set local standards of provision and determine what open space, play, sport and recreational provision is required, and which plans should seek to accommodate.”

Paragraph 101 c): It is unclear how the requirement for Local Green Spaces to be “local in character” would be practically applied. This either needs greater clarity or should be removed.

Paragraph 102: We support the policies connected to Local Green Space, and the intention to grant them a high degree of protection. However, it is not sufficient to simply copy the protections and exemptions that exist for Green Belt designation: the two are very different. There are a number of exemptions listed at paragraphs 144-146 that exist in relation to Green Belt land which would not be appropriately applied to Local Green Spaces, including:

- 144a) buildings for agriculture and forestry;
- 144e) limited infilling in villages;
- 144f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);
- 145a) mineral extraction;
- 145b) engineering operations;
- 145c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- 145f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.
- 146 renewable energy projects.

By virtue of their locally-endorsed designation, and their relatively small size, they should be granted a greater degree of protection from built development than Green Belt land.

## **21. Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?**

We support the changes made to Chapter 9. Development of transport infrastructure, particularly highways, must take account of potential habitat fragmentation and landscape

impacts, and consider the possibility for wildlife corridors, green bridges, and other mitigating design features. Land associated with transport corridors offers huge potential for green infrastructure network provision, particularly in urban areas. An early, landscape-led approach is the best way to ensure sustainability.

It would be helpful for the NPPF to make direct reference to the Manual for Streets (MfS).<sup>6</sup> Developments (especially housing developments) are still being subject to inefficient or over-engineered design solutions which result from LPA highways departments' use of DB32,<sup>7</sup> which is now 25 years out-of-date.

**25. Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?**

We strongly support the changes made to Chapter 11, particularly the approach to multi-functional use of land set out in paragraph 118.

Paragraph 118 b): Alongside 'food production', this paragraph could be strengthened with a specific reference to 'soil recovery'. This is to align with the sustainable soil plan outlined in the 25-Year Environment Plan, to safeguard the fertility and productivity of future agricultural land.

**28. Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?**

As suggested in our response to Q3, we believe that Chapter 12 is a useful place to state the principle (paragraph 17 NPPF12) that planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.

Paragraph 124: There are several points in paragraph 124 that would benefit from greater clarity. We support the role of local communities in developing design policies and we agree that Neighbourhood Plans can play an important role in identifying special qualities in an area.

However, in practice the special qualities of an area are more usually identified by evidence and expert opinion, e.g. through landscape character assessment and historic character assessment. Neighbourhood Plans are not the only legitimate source of design policy.

In practice, the design aspirations in many Neighbourhood Plans are not especially high, and they often disfavour contemporary design. The role of professional expertise (architect, engineer, landscape architect, planner, urban designer) is therefore important, particularly in those areas which do not have (and are unlikely to ever have) a Neighbourhood Plan. A holistic approach is needed.

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<sup>6</sup> Manual for Streets, MHCLG and DoT, 2007, <https://www.gov.uk/government/publications/manual-for-streets>

<sup>7</sup> Residential roads and footpaths 2<sup>nd</sup> ed., Design Bulletin 32, DoT and DoE, 1992, <http://regulations.completepicture.co.uk/pdf/Planning/Design%20Bulletin%2032%20-%20Residential%20Roads%20and%20Footpaths%201992.pdf>

We recommend splitting the two clauses in the penultimate sentence. For instance: “Design policies should be developed with local communities so they reflect local aspirations, and should be based upon a robust evaluation of each area’s defining characteristics”.

Paragraph 125. We support the detail given in this paragraph. The third sentence could be made clearer, as it is not clear what is ‘unjustified’ – the variety or the inhibition. Additionally, the example in brackets is unconvincing and could be removed (as existing diversity urban form may be improved by a more consistent approach in some cases.)

Paragraph 126: We support the detail given in this paragraph. We believe this paragraph could usefully make reference to good contemporary design, given the homogeneity of many housebuilders’ standard house types, particularly in large greenfield sites. In these cases, the lead should come from the local landscape character (point c) which would not necessarily preclude contemporary design.

The word “landscaping” at 126 b) should be replaced by “landscape and green infrastructure”, to clarify that it refers to the assets (the noun) not just the activity (the verb).

Paragraph 127 and 128: We welcome the emphasis on design quality being the focus of early discussions between applicants, local communities and the local planning authority. In order to encourage applicants to listen to the views of local people of all ages, it would be helpful if the final sentence could be worded “.... engagement with all sectors of the local community”.

We also welcome the advice in paragraph 128, that supports the use of design review at an early stage. However, we believe that the wording in paragraph 128 needs strengthening to clarify the weight that should be given to the recommendations from the design review panel (and to the applicants’ response to those recommendations).

We believe this emphasis and weight would also help to overcome a second issue, which is that of applicants bringing the schemes too late in the evolution of the design, such that there is limited time, inclination, or budget to make the recommended changes.

We would welcome policies which encouraged any design review recommendations to be put into the public domain alongside a planning application.

The line: “appropriate tools and processes” in paragraph 128 should read ““appropriate resources, tools and processes”.

Paragraph 129: The final sentence of paragraph 129 is unnecessary and should be omitted. Where applications do not meet local plan policies they will be refused, and vice versa. Local authorities must have the power and tools to be able to insist upon good design, and this sentence could impede this.

Paragraph 130: The use of “or” should be amended to “and/or”, as the two types are not mutually exclusive.



### **30. Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are ‘not inappropriate’ in the Green Belt?**

We welcome the positive changes in the Green Belt section that seek to update this long-established restrictive policy in line with the presumption in favour of sustainable development. However we regret that MHCLG has failed to exploit this opportunity to review the overall effectiveness of national Green Belt policies, to assess how they have been operating since the abolition of regional spatial plans, and to revisit the need for a strategic review of Green Belt policy in the NPPF.

We welcome the reiteration of the sustainable development (paragraph 134) principle in paragraph 137 where it requires any boundary reviews to consider the need to promote sustainable patterns of development. We support the text of paragraph 137 where it prioritises the use of previously developed land and land close to public transport nodes.

We regret that the NPPF12 paragraph 81 requirement to find ways of enhancing the beneficial use of Green Belt land has been relegated to a minor role in the guidance (paragraph 140).

The Landscape Institute’s 2018 publication on the Green Belt, which was the subject of a wide consultation, recommends that this current NPPF review should redefine the purpose of Green Belt land, and reposition Green Belt policy to deliver social, economic, and environmental objectives.<sup>8</sup>

We believe that Green Belt should have a multi-functional role as part of regional and local Green Infrastructure frameworks. We therefore propose that the final sentence of paragraph 137 should be strengthened to require any proposals for the release of, and development of, Green Belt land to incorporate positive uses for remaining Green Belt land that is accessible to urban populations, in order to achieve net environmental gain and to support sustainable development as follows:

- encourage healthy lifestyles and contact with nature
- reduce flood risk and pollution
- improve water and air quality
- promote social cohesion
- enhance biodiversity
- mitigate climate change

Paragraph 141: We welcome the additional reference to National Forest and Community Forests.

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<sup>8</sup> Landscape Institute, Green Belt Policy, 2018, <https://www.landscapeinstitute.org/policy/green-belt-policy/>

### **32. Do you have any comments on the text of Chapter 14?**

We support the changes made to Chapter 14. The policies on visual impact at paragraph 153, on the multi-functional benefits of sustainable drainage systems at paragraph 163 and on the safeguarding of the route of a coastal footpath at paragraph 166, are very positive.

As in the comments to paragraph 126 above, the list in paragraph 152(b) should read “landscape” (noun) not “landscaping” (verb).

### **34. Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25 Year Environment Plan and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?**

We support the changes made to align NPPF with the objectives of the 25-year Environment Plan.

The references in NPPF12 (paragraphs 113 and 117, and glossary) to locally designated sites have been removed, as have specific references to Local Wildlife Sites as an example of such designation. We believe this is an omission which should be corrected. The opportunity should also be taken to clarify the care needed in regards to other identified areas of environmental importance: for instance, National Nature Reserves and Nature Improvement Areas, which are not referenced in the new NPPF.

Paragraph 168: We support the policies set out at paragraph 168, and for the most part the text is positively worded. It could be improved through the following amendments:

Paragraph 168 a: We welcome the attempt to clarify the use of the expression ‘valued landscapes’ through the additional text in parenthesis. Nevertheless, some ambiguity remains.

The use of “valued landscapes” in practice has, in some instances, introduced an ill-defined layer that falls below ‘designated landscapes’ but above ‘ordinary landscapes’.<sup>9</sup> In line with the approach taken by the European Landscape Convention and Natural England, it is more accurate to say that all landscapes have some degree of value, and the best development is always commensurate with the character and qualities inherent in that landscape.

We would welcome additional clarity. We suggest this could be achieved by amending the text in brackets to read “identified cultural, historic, social or environmental qualities”, and the addition of a footnote which clarifies that all landscapes have some locally or nationally “identified qualities”, and noting the routes by which these qualities might be identified (e.g. through a professional Landscape Character Assessment, local designation (e.g. SLAs, AGLVs), or other evidence-based expression).

Alternatively, a fuller definition in the glossary is required, or to simply remove the word ‘valued’.

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<sup>9</sup> See, for instance: Mr J Ousley, Stroud decision, 2014. Ref: CO/4082/2014

Paragraph 168 b: We welcome the principle behind 168 b), but believe “recognising” is insufficiently strong. We propose a more robust phrasing, e.g.: “retaining and enhancing”.

Paragraph 168 c: We welcome the amendments made to 168 c).

Paragraph 168 e: In line with the 25-year Environment Plan, the end of this paragraph should be amended to read: “Development should, wherever possible, achieve a net gain in terms of local environmental conditions such as air and water quality.”

Paragraph 169: We strongly support paragraph 169 which is positively worded in favour of green infrastructure and the enhancement of natural capital assets. We suggest the guidance could be made more robust by placing the first clause (allocate land) at the end of the paragraph.

Paragraph 170: The use of the phrase “great weight” in regard to the protection of designated landscapes is likely to be subject to legal challenge. We support the reinstatement of the previous wording from NPPF12, that National Parks and AONBs should have the “highest status of protection”.

In National Parks and AONBs, it is particularly important that the assessment of planning applications should more closely reflect the objectives of the 25-year Environment Plan. We suggest amending paragraph 170 c) to read 'any harmful effects on the environment, the landscape and recreational opportunities, and the extent to which these would be mitigated and a net environmental gain achieved.'

We are concerned that the reference to major development here and the definition of ‘major development’ in the Glossary poses a conflict with legal advice and established practice. Major development in a National Park or AONB has been defined as “development which, by reason of its scale, character or nature, has the potential to have a serious adverse impact on the natural beauty or recreational opportunities provided by a National Park or AONB.” This may well include development that falls below the threshold figures given in the Glossary.

We would therefore seek clarification on this within the NPPF, by recognising that there is ambiguity in the use of the term ‘major development’ when applied to nationally designated landscapes and other areas.

Paragraph 173: We welcome the clarification of protections for irreplaceable habits, and those for aged/veteran trees as set out in paragraph 173 (and elsewhere).

We note that the terminology used in relation to trees is not wholly commensurate with existing best practice,<sup>10</sup> and would be improved by bringing it in line. We recommend substituting ‘aged’ for ‘ancient’. ‘Ancient trees’ makes clear that age is not absolute, but relative to other trees of that species.

### **37. Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text of this chapter?**

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<sup>10</sup> For instance: David Lonsdale, *Ancient and other Veteran Trees: further guidance on management*, 2013

Chapter 17 deals in detail with the extraction of mineral resources (aggregates) but the section on hydrocarbon exploration and extraction (paragraphs 204-205) provides sparse direction, which is not well supplemented by the draft planning guidance.

Minerals Planning Authorities should be required to adopt policies which ensure that permitted/proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, that set noise limits on activities, and that will ensure that drilling sites will be restored to beneficial use at the earliest opportunity and effectively managed in the long term. A additional statement to this effect should be added to Chapter 17.

Evidence submitted to the recent CLG Select Committee inquiry on planning guidance for fracking is relevant, and should be cross-referenced.<sup>11</sup>

### **43. Do you have any comments on the glossary?**

We propose five amendments to the glossary:

1. The NPPF should include a definition of “landscape”. The definition contained within the European Landscape Convention<sup>12</sup> is useful in this regard: “an area perceived by people whose character is the result of the action and interaction of natural and/or human factors.”
2. The definition of “Green Infrastructure” is flawed in two regards:  
  
“A network of multi-functional green spaces”. Many local natural assets (e.g. garden trees, hedgerows, watercourses) are not well described as “spaces”. We suggest “spaces and features”  
  
“Benefits for local communities”. Many of the benefits of green infrastructure (e.g. clean air, climate change mitigation, biodiversity) are not solely felt by local communities. We suggest “local communities and the wider environment”.
3. The definition of open space is important, but is currently unclear with reference to “sport and recreation”. The wording may imply these are the only beneficial opportunities of open land, or that this refers solely to areas of water. Either other benefits (e.g. social interaction) should be added, or the definition should be clarified using “can” and “for example”.
4. The definition of ‘aged or veteran tree’ could usefully be amended in line with existing best practice (see response to paragraph 173). We also believe it would be useful to

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<sup>11</sup> The evidence submitted by the Landscape Institute can be read here:

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/housing-communities-and-local-government-committee/planning-guidance-on-fracking/written/80322.html>

<sup>12</sup> European Landscape Convention, Council of Europe, 2006,

<https://www.coe.int/en/web/landscape/about-the-convention>. This convention was ratified by the UK in 2006, and it is not affected by the UK’s withdrawal from the European Union (as it is a Council of Europe agreement, not a European Union one).

reference other categories of tree which may be of material consideration in planning decisions, for instance 'champion', 'notable', and 'heritage' trees.

5. The reference in NPPF12 glossary to locally designated sites has been removed, as have specific references to Local Wildlife Sites as an example of such designation. We believe this is an omission which should be corrected.