

Landscape value and valued landscapes



A technical guidance note

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Consultation questions

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1 Introduction

1.1 Scope and structure

1.1.1 This technical guidance note (TGN) provides information and guidance to landscape professionals who need to make judgments about the value of a landscape. It sets out a landscape-led approach to assessing landscape value (as opposed to assessing value in an economic sense that may be the concern of environmental economists). Such landscape-led judgements can be required in the course of undertaking landscape assessments in the context of the planning system. It is hoped that this TGN will also be of assistance to those who review these judgements, so that there is a common understanding of the approach. The main body of this note is independent of policy, which differs across the four nations of the UK (policy is referred to in the Appendices, which will be updated as needed).

1.1.2 This TGN has two parts:

- **Part 1** provides a brief history of how landscapes have been valued for different purposes.
- **Part 2** identifies the stages in the planning system 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 can be considered when identifying landscape value.

1.1.3 Appendix 1 provides an overview of how landscape is valued in UK legislation and in UN, European and UK policy statements, regulations and guidance.

1.1.4 Appendix 2 provides a summary of the evolution of factors used in the assessment of natural beauty and landscape value.

1.1.5 Appendix 3 relates specifically to England and sets out the Landscape Institute's understanding of the term 'Valued Landscape' as it is used in the context of England's National Planning Policy Framework (NPPF, February 2019).

1.1.6 Appendix 4 summarises how inspectors' decisions and case law have dealt with the interpretation of 'valued landscapes' in England's NPPF.

1.1.7 A 'further reading' list and glossary are provided.

1.1.8 This TGN is not concerned with approaches to identifying landscapes for national designation. This is a matter for the country agencies with this responsibility, who have their own technical guidance, although it should be noted that approaches have much in common with each other.

1.2 A note on terminology

1.2.1 There are a few points to note regarding use of terminology in this TGN.

1.2.2 Landscape quality/ landscape condition: In some guidance (and particularly guidance on landscape character assessment since 2002), the term 'landscape quality' has been used to mean 'landscape condition'. In this TGN the term 'landscape quality' is used to mean value based on character, condition or aesthetic appeal and 'landscape condition' is used to describe the physical state of the landscape (including the intactness of the landscape and the condition of individual elements).

1.2.3 Landscape qualities/ special qualities: In this TGN 'landscape qualities' are defined as characteristics/ features of a landscape that have been identified as being valued (as opposed to 'landscape characteristics' which encompass all elements, or combinations of elements, which make a particular contribution to distinctive character). Landscape qualities (in the sense meant in this TGN) are often referred to as 'special qualities' or 'special landscape qualities' in relation to designated landscapes. For example, 'special qualities' is a statutory expression used in relation to National Parks, Areas of Outstanding Natural Beauty (AONBs) and National Scenic Areas (NSAs).



1.2.4 Natural beauty: Although the history of how we value landscape is closely related to the concept of 'natural beauty' (as enshrined in the 1949 National Parks and Access to the Countryside Act), it is not the aim of this note to define natural beauty. The meaning of 'natural beauty' has been clarified and interpreted through a series of studies, guidance documents and public inquiries (see 'further reading').





2 A brief history of how landscape has been valued in the UK

2.1 Background

2.1.1 The concept of landscape value has evolved over time. Land has always had a productive value for food and other natural resources. During the 17th century in Europe, the concept of landscape value became closely linked to ideas about beauty and aesthetics. In the 18th–19th centuries influential artists writers and thinkers such as J.M.W. Turner, John Ruskin, Wordsworth and others emphasised the inherent value of scenic qualities, landform, nature, vernacular architecture, traditional agriculture, tranquillity and wildness, raising awareness of these landscape qualities.

2.1.2 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 1895.¹ 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’.²

2.1.3 Pressure in the early decades of the 20th century resulted in the establishment of the Addison Committee in 1929 and in 1931 the Addison Report³ recommended the identification of national parks. However, it was the establishment of the National Parks Committee and the publication of the Dower report⁴ (1945), the Hobhouse Report⁵ (1947) and the Ramsay Report⁶ 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’ and for encouraging the provision of ‘opportunities for open air recreation and the study of nature’.⁷

2.1.4 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 and public inquiries (see the section on ‘further reading’). Following the 1949 Act in England and Wales, national landscape designations were made following advice from experts who relied on criteria originally defined by Hobhouse⁸ 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).⁹ This approach to assessing landscape value continued throughout the 1950s and 60s. **Appendix 1** provides a summary of current landscape designations within the UK.

2.1.5 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.

¹ For England, Wales and Northern Ireland. The National Trust for Scotland was established in Scotland in 1931.

² National Trust Act 1907

³ The Addison Report 1931

⁴ National Parks in England and Wales, John Dower, Ministry of Town and Country Planning, 1945 – see ‘further reading’

⁵ Report of the National Parks Committee (England and Wales), Sir Arthur Hobhouse, Ministry of Town and Country Planning 1947 – see ‘further reading’

⁶ Ramsay Report of the Scottish National Parks Survey Committee – see ‘further reading’

⁷ National Parks and Access to the Countryside Act 1949

⁸ Report of the National Parks Committee (England and Wales), Sir Arthur Hobhouse, Ministry of Town and Country Planning 1947 - see ‘further reading’

⁹ 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.



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.

2.1.6 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 Assessment¹⁰, 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.¹¹ Although the landscape assessment approach covered all landscape, early guidance included advice on evaluating landscapes¹² (1987) identifying factors for evaluating 'natural beauty' which built on the Hobhouse criteria. The 1993 landscape assessment guidance¹³ 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 value¹⁴. The 1993 guidance included criteria for evaluating 'landscape quality' (particularly in relation to designating landscapes) and identified factors important for evaluating natural beauty. It also noted that although scenic quality is the overriding factor in designation, cultural associations and public preferences should also be given some weight.

2.1.7 The 2002 guidance¹⁵ on Landscape Character Assessment developed the criteria 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), 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 3rd Edition Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) (2013). **Appendix 2** provides a summary of the evolution of factors used in the assessment of natural beauty and landscape value from 1945 onwards.

2.1.8 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 2006¹⁶. 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'¹⁷ 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.'¹⁸

2.1.9 The importance of landscape has also been recognised in recent government initiatives such as Defra's 25 Year Environment Plan¹⁹ in 2018 and the Glover Landscapes Review²⁰ in 2019.

¹⁰ The Landscape Institute has published a Technical Information Note 08/2015 on Landscape Character Assessment [accessible from https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2016/01/Landscape-Character-Assessment-TIN-08_15-20160216.pdf]

¹¹ Topic Paper 1: Recent practice and the evolution of Landscape Character Assessment The Countryside Agency and Scottish Natural Heritage (2002)

¹² Landscape assessment: Countryside Commission Approach (CCD 18), 1987

¹³ Countryside Commission (1993) Landscape Assessment Guidance. CCP 423. Countryside Commission

¹⁴ Topic Paper 1: Recent practice and the evolution of Landscape Character Assessment The Countryside Agency and Scottish Natural Heritage (2002)

¹⁵ The Countryside Agency and Scottish Natural Heritage (2002) Landscape Character Assessment: Guidance for England and Scotland (CAX 84), the Countryside Agency and Scottish Natural Heritage

¹⁶ The UK remains a member of the Council of Europe, which is a separate body from the European Union.

¹⁷ European Landscape Convention - Preamble

¹⁸ European Landscape Convention – Article 6

¹⁹ H M Government (2018) A Green Future: Our 25 Year Plan to Improve the Environment

²⁰ Landscapes Review: Final Report, Glover, Defra, September 2019



2.1.10 A range of different methods continues to be employed in the UK²¹ to consider the value of the environment. As well as the methods outlined above, two further approaches are the assessment of Ecosystem Services (which combines quantitative and qualitative information) and Natural Capital Accounting (a quantitative approach). More information about these approaches can be found in the following LI Technical Information Notes (TIN):

- *TIN02/2016 - Ecosystem Services;*
- *TIN 02/2018 - Natural Capital Accounting.*

2.1.11 All approaches have a part to play in understanding landscape value, and should be complementary, recognising that landscapes should be valued as a whole as well as for their component parts.

²¹ Not all parts of the UK use the same approaches or the same terminology



3 Tools to enable practitioners to assess landscape value

3.1 Introduction

3.1.1 Assessments of landscape value (for landscapes which are not candidates for national designation) may be required at different stages of the planning process, and may be carried out / commissioned by different stakeholders²², 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.*

3.2 Landscape value at a Local Authority or neighbourhood level as part of plan-making

3.2.1 Landscape value at the local authority or neighbourhood level can be mapped spatially (i.e. through local landscape designation). However, absence of designation does not mean absence of value and landscape value can also be described as part of evaluative studies linked to landscape character assessment. Each approach can highlight particular aspects of the landscape that are valued and the LI considers that there is a place for both. Where possible, the value placed on a landscape should be defined in development plan documents adopted for that area.

3.2.1 Local landscape designations: the spatial approach

3.2.1.1 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 1**. Local landscape designation is currently explicitly supported by national policy in Scotland, Wales and Northern Ireland, but in England there is an inconsistent use of local landscape designations as a result of its policy history. Therefore, the absence of local landscape designations in England does not necessarily indicate there are no locally valued landscapes, or landscapes worthy of local designation.

3.2.1.2 Guidance on how to identify local landscape designations has been produced in Scotland and Wales:

- *NatureScot and Historic Environment Scotland have jointly produced guidance on designating Local Landscape Areas (LLAs)²³ 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).*

²² The term ‘stakeholder’ describes the whole constituency of individuals and groups who have an interest in an area. Wherever possible, practitioners should seek to understand the different perspectives of all those with an interest in an area, to contribute to better decision making and consensus.

²³ NatureScot and Historic Environment Scotland (October 2020) Guidance on designating Local Landscape Areas



- NRW has published LANDMAP Guidance Note 1: LANDMAP and Special Landscape Areas (2017)²⁴ which sets out an approach for defining Special Landscape Areas in Wales using LANDMAP²⁵ 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'.

3.2.1.3 Where local designations are used, the identification of their spatial boundaries and their landscape qualities (or special qualities) should be supported by evidence. Approaches should be informed by existing guidance where it exists. **Table 1** of this TGN sets out a range of factors that could be considered which are intended to be compatible 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). Defining spatial boundaries to a local landscape designation should be informed by existing guidance from the same guidance documents, noting that local landscape designations rarely stop at administrative boundaries (this is particularly relevant if they are being defined in a neighbourhood plan).

3.2.1.4 Community engagement and consultation on the findings of a value assessment add depth to the assessment and should be encouraged where possible.

3.2.2 Evaluative studies linked to landscape character assessment

3.2.2.1 The 2002 guidance on Landscape Character Assessment²⁶ (which is still in use in Scotland and remains a source of reference for many practitioners) acknowledges that 'most assessments will usually move beyond the characterisation stage to the stage of making judgements to inform particular decisions' and 'a landscape may be valued by different communities of interest for many different reasons without any formal designation'. As explained in Part 1 of this note, there are some well-established criteria for understanding landscape value and these are set out in the 2002 guidance on Landscape Character Assessment (they are: landscape quality, scenic quality, rarity, representativeness, conservation interests, wildness, tranquillity and associations with particular people, artists, writers, or other media, or events in history).

3.2.2.2 The identification of landscape qualities that contribute to the value of the landscape as a whole can be undertaken as an extension to a landscape character assessment, or as a separate follow-on study. **Table 1** of this TGN sets out a range of factors that could be considered as part of the process. In these types of assessments, information from stakeholders about what is valued should be incorporated where possible. It should be noted that, in Wales, LANDMAP already includes a range of criteria-based evaluations relating to the landscape.

3.2.2.3 In neighbourhood planning, there are a number of publications/ tools that can also help local communities record what they value in their local landscape, for example 'Placecheck'²⁷ and CPRE's 'What's Special To You: Landscape Issues In Your Neighbourhood Plan'²⁸.

3.3 Landscape value at a site/study area level as part of a planning application or appeal

3.3.1 Landscape value needs to be assessed as part of carrying out a Landscape and Visual Impact Assessment (LVIA) or Landscape and Visual Appraisal (LVA)²⁹. The current guidance for LVIA/LVA is the

²⁴ <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>

²⁵ LANDMAP is an all-Wales landscape resource where landscape characteristics, qualities and influences on the landscape are recorded and evaluated

²⁶ The Countryside Agency and Scottish Natural Heritage (2002) Landscape Character Assessment: Guidance for England and Scotland (CAX 84), the Countryside Agency and Scottish Natural Heritage

²⁷ <https://placecheck.info/en/>

²⁸ www.cpre.org.uk > Resources

²⁹ Landscape and Visual Impact Assessments (LVIA) form part of an Environmental Impact Assessment (EIA). Landscape and Visual Appraisals (LVA) are standalone assessments



third edition of *Guidelines for Landscape and Visual Impact Assessment* (GLVIA3) which states that the value of a landscape should be assessed as one of two components of landscape sensitivity. Landscape value is the 'inherent' component, which is independent of the development proposal, whilst the other component, susceptibility, is development specific.

3.3.2 GLVIA3 recognises that landscape value is not just 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 is based upon a structured and transparent assessment process including community-based evidence where practical to do so.

3.3.3 The list of factors set out in Box 5.1 on page 84 of GLVIA3, which are a slightly modified form of the list of criteria from the 2002 landscape character assessment guidance, is 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.

3.3.4 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. These have been incorporated into the updated **Table 1** of this TGN.

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

3.4.1 **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. 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 and cultural factors (reflecting the approach in NatureScot's guidance on local landscape designations and Natural England's Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England);*
- *'Rarity' and 'representativeness' are combined into a newly-named factor 'distinctiveness'.*
- *A new factor, 'spatial function' is included which addresses the value attached to landscapes which perform an identifiable and important functional role.*

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

3.4.2 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 complementary to GLVIA3.



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

Factor	Definition	Examples ³⁰ of indicators of landscape value	Examples of evidence ³¹
Landscape condition	The physical state of the landscape: intactness of the landscape, and the condition/health of individual elements	<p>Good physical condition/ intactness of individual landscape elements (e.g. walls, parkland, trees)</p> <p>Good condition/ intactness of the overall landscape (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/ LANDMAP condition and trend questions</p> <p>Hedgerow/ tree surveys</p> <p>Observations about intactness/ condition made in the field</p> <p>SSSI condition assessments</p> <p>Historic landscape character assessments/ map regression analysis</p>
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 interest that contribute to sense of place</p> <p>Presence of distinctive geological or geomorphological features</p> <p>Landscape which makes an important contribution to natural capital/forms the basis for nature recovery networks</p>	<p>Landscape character assessment/ LANDMAP Geological Landscape and Landscape Habitats Aspects</p> <p>Ecological and geological designations</p> <p>Geological Conservation Review</p> <p>Habitat surveys</p> <p>Priority habitats</p> <p>Nature Recovery Networks</p> <p>Specialist ecological studies</p>
Cultural heritage	Landscape with clear evidence of archaeological, historical or cultural interest which contribute positively to the landscape	<p>Historic landmark structures or designed landscape elements (e.g. follies, monuments, avenues, beech clumps)</p> <p>Landscape which contributes to the significance of heritage assets, for example forming the setting of heritage assets as defined in specialist studies.</p> <p>Landscape which offers a dimension of time depth and the passing of time e.g. relic farmsteads, ruins, historic field patterns, historic rights of way</p>	<p>Landscape character assessment/ LANDMAP Historic Landscape and Cultural Landscape Services Aspect</p> <p>Historic environment and archaeological designations</p> <p>Conservation Area appraisals</p> <p>Historic maps</p> <p>Historic landscape character assessments</p>

³⁰ These examples are not exhaustive

³¹ Evidence may be set out in development plans (or evidence that sits alongside development plans). Online mapping such as <https://magic.defra.gov.uk/> may also provide useful information.



Factor	Definition	Examples ³⁰ of indicators of landscape value	Examples of evidence ³¹
		(e.g. drove roads, salt ways, tracks associated with past industrial activity)	Place names Specialist heritage studies
Associative	Landscape which is connected with people, events and the arts	Associations with literature, art, film and music that contribute to perceptions of the landscape Links to a notable historical event Associations with a famous person or people	The arts including literature, photography, painting, film, music) Historical accounts, cultural traditions and folklore Guidebooks LANDMAP Cultural Landscape Services aspect
Distinctive ness	Landscape that has a strong sense of identity	Landscape character that has a clear sense of place Distinctive features or elements which are identified as being characteristic of a particular place Rare or unusual features or elements, especially those that help to confer a strong sense of place or identity	Landscape character assessment/ LANDMAP Visual & Sensory question 3 and 25, – Historic Landscape question 4 Guidebooks Observations about elements and combinations of elements made in the field
Recreational	Landscape recognised as offering opportunities for recreation activities where experience of landscape is important	Presence of open access land, public rights of way and village greens, especially where experience of landscape is important Other physical evidence of recreational use where experience of landscape is important Landscape that forms part of a view that is important to the enjoyment of a recreational activity	Definitive public rights of way mapping/ OS map data Open access land (including registered common land) Database of registered town or village greens Observations about recreational use/ enjoyment made in the field
Scenic	Landscape that appeals to the senses, primarily the visual sense	Distinctive features, or attractive combinations of features such as distinctive, dramatic or striking landform or patterns of land cover which collectively create attractive compositions Strong aesthetic qualities such as scale, form, colour and texture	Landscape character assessment/ LANDMAP Visual and Sensory scenic quality question 46 Protected views, views studies Observations about scenic qualities made in the field



Factor	Definition	Examples ³⁰ of indicators of landscape value	Examples of evidence ³¹
		<p>Presence of natural lines in the landscape (e.g. natural ridgelines, woodland edges, river corridors)</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>	Conservation Area Appraisals
Perceptual	Landscape with a strong sensory and perceptual value notably wildness and/ or tranquillity	<p>High levels of tranquillity or perceptions of tranquillity, including perceived links to nature, dark skies, presence of wildlife/ birdsong and relative peace and quiet³²</p> <p>Presence of wild land and perceptions of relative wildness</p> <p>Sense of particular remoteness, seclusion or openness</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>Field survey</p> <p>LANDMAP Visual and Sensory Aspect</p>
Spatial function	Landscape which performs a clearly identifiable and valuable function	<p>Landscape which makes an important contribution to a national landscape designation and / or a designated heritage asset</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>Forming an important part of a Green Infrastructure network</p>	<p>Landscape character assessments/ LANDMAP</p> <p>Development and management plans for nationally-designated landscapes</p> <p>Conservation Area appraisals</p> <p>Observations about landscape function made in the field</p> <p>Green infrastructure studies/strategies</p>

³² More about tranquillity can be found in Landscape Institute Technical Information Note 01/2017 (Revised) Tranquillity – An overview (March 2017)



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

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

- *The indicators should be reviewed on a case-by-case basis, taking into account what they contribute (positively or negatively) to a specific landscape. 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 a judgement on landscape value [N.B. the weight to be attached to each indicator is likely to vary across different landscapes].*
- *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.*
- *When assessing landscape value at a site/ study area level 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 spatial designations (e.g. Green Belt or Green Gaps/ Wedges) are not in themselves an indicator of landscape value.*
- *The identification of landscape value needs to be applied proportionately ensuring that identification of valued landscape is not over used.*



4 Further reading

Department for Health for Scotland (1945) National Parks: A Scottish Survey Report by the Scottish National Parks Survey Committee 'The Ramsay Report' Cmd.6631

[available from <http://aprs.scot/wp-content/uploads/2016/01/RamsayReport.pdf>]

Ministry of Town and Country Planning (1945) National Parks in England and Wales: Report by John Dower, Cmd. 6628. [available as a download from www.friendsofthedales.org.uk]

Ministry of Town and Country Planning (1947) Report of the National Parks Committee (England and Wales) 'The Hobhouse Report' Cmd.7121

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5 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. It may include the extent to which the typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements (from GLVIA3).
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).



Term	Definition
Landscape quality	A term used to indicate value based on character, condition or aesthetic appeal (definition from 1st Edition GLVIA).
Landscape qualities	Characteristics/features of a landscape that have been identified as being valued. Landscape qualities are sometimes referred to as 'special qualities' or 'special landscape qualities' in relation to designated landscapes or 'wildness qualities' in relation to Wild Land Areas.
Landscape value	The relative value that is attached to different landscapes by society, bearing in mind that a landscape may be valued by different stakeholders for a whole variety of reasons (GLVIA3).
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>As set out in Natural England's guidance for assessing landscapes for designation 2011 'It is Natural England's view that fauna and flora (i.e. wildlife), geological and physiographical features and cultural heritage can contribute to the natural beauty of all landscapes and that any assessment of natural beauty must take these factors into consideration' (paragraph 6.3).</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' [https://www.nature.scot/professional-advice/protected-areas-and-species/protected-areas/national-designations/national-scenic-areas/nsa-special-qualities]</p>



Term	Definition
Valued landscape	An area identified as having sufficient landscape qualities to elevate it above other more everyday landscapes ³³ .

³³ 'Everyday' landscapes will nevertheless have value to people.





A1 Designated landscapes: UK policy and guidance

A1.1 Introduction

A1.1.1 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.

A1.2 Internationally valued landscapes

A1.2.1 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'.

A1.2.2 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 website³⁴.

A1.2.3 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 guidelines³⁵.

A1.3 The European Landscape Convention

A1.3.1. 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.

A1.3.2 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'.³⁶

³⁴ <https://whc.unesco.org/en/criteria/>

³⁵ <https://www.iucn.org/theme/protected-areas/about/protected-area-categories>

³⁶ www.coe.int/en/web/conventions/full-list/-/conventions/treaty/176



A1.4 National landscape designations

A1.4.1 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.

A1.4.2 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.

A1.4.1 England

A1.4.1.1 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 beauty³⁷, 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).

A1.4.1.2 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.

A1.4.1.3 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'.

A1.4.1.4 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.

A1.4.1.5 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.

A1.4.2 Wales

A1.4.2.1 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.

A1.4.2.2 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

³⁷ 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 and public inquiries (see 'further reading'). 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'³⁸. This sets out Welsh Governments priorities for the National Parks and AONBs in Wales.

A1.4.2.3 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'.³⁹

A1.4.3 Scotland

A1.4.3.1 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*'⁴⁰, 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 website⁴¹, 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*'.

A1.4.3.2 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.' Scottish Natural Heritage (2014) has identified 'wild land areas' - nationally important extensive areas of semi-natural landscapes that show minimal signs of human influence.⁴²

A1.4.4 Northern Ireland

A1.4.4.1 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.

A1.4.4.2 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.

A1.4.4.3 '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

³⁸ Welsh Government (2018) Valued and Resilient: The Welsh Government's Priorities for Areas of Outstanding Natural Beauty and National Parks [available from <https://gov.wales/sites/default/files/publications/2019-04/areas-outstanding-natural-beauty-national-parks-2018-report%20.pdf>]

³⁹<https://lle.gov.wales/catalogue/item/RegisteredLandscapesOfOutstandingHistoricInterestInWales/?lang=en>

⁴⁰ Planning etc. (Scotland) Act 2006 2006 asp 17

⁴¹ <https://www.gov.scot/policies/landscape-and-outdoor-access/natural-heritage-designations/>

⁴² <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.⁴³

A1.5 Local landscape designations

A1.5.1 England

A1.5.1.1 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.

A1.5.1.2 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 '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.

A1.5.1.3 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.

A1.5.2 Wales

A1.5.2.1 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'.

A1.5.2.2 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.

A1.5.2.3 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 (NRW 2017) sets out an approach for defining Special 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'.

⁴³ <https://www.daera-ni.gov.uk/articles/shared-horizons>



A1.5.3 Scotland

A1.5.3.1 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’ (para 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’.

A1.5.3.2 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. In 2006 Scottish Natural Heritage and Historic Scotland jointly published 'Guidance on Local Landscape designations' which has recently been updated by NatureScot and the Historic Environment Scotland as guidance on designating Local Landscape Areas (LLAs)⁴⁴. 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.

A1.5.4 Northern Ireland

A1.5.4.1 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.

A1.5.4.2 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.’

A1.5.4.3 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.

⁴⁴ NatureScot and Historic Environment Scotland (October 2020) Guidance on designating Local Landscape Areas



A2 Summary of the evolution of factors used in the assessment of natural beauty and 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

A2.2.1 Report on National Parks in England and Wales (Cmd 6628), John Dower, Ministry of Town and Country Planning⁴⁵

A2.2.1.1 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, John Dower 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...’

A2.2.1.2 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.*

A2.2.2 National Parks: A Scottish Survey, 'The Ramsay Report', Department of Health for Scotland⁴⁶

A2.2.2.1 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:

- *outstanding scenic beauty;*
- *accessibility;*

⁴⁵ Accessible at [pdf. download from www.friendsofthedales.org.uk](http://www.friendsofthedales.org.uk)

⁴⁶ Accessible at <http://aprs.scot/wp-content/uploads/2016/01/RamsayReport.pdf>



- *preservation and preservability;*
- *recreational facilities (of an open air type);*
- *educational, cultural and social interests;*
- *flora and fauna; and*
- *accommodation.*

A2.3 1947

A2.3.1 Report of the National Parks Committee (England & Wales) (CMD 7121), Sir Arthur Hobhouse, Ministry of Town and Country Planning⁴⁷

A2.3.1.1 Para 35 - Factors in selection (of National Parks):

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

A2.4.1 Wildlife and Countryside Acts 1981 & 1985: Section 3 Conservation Maps of National Parks – Guidelines (CCD6), Countryside Commission (out of print)

A2.4.1.1 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 the **1987: Landscape assessment: Countryside Commission Approach (CCD 18)**.

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, tone), texture, presence of eyesores,

⁴⁷ Accessible at https://landscapesforlife.org.uk/application/files/6215/8928/8648/Report_of_the_National_Parks_Committee_1947.pdf



	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

A2.5.1 Landscape Assessment: Principles and Practice, Countryside Commission (out of print)

A2.5.1.1 This 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
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A2.6 1993

A2.6.1 Landscape Assessment Guidance (CCP 423), Cobham Resource Consultants, Countryside Commission (out of print)

A2.6.1.1 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

A2.7.1 Guidelines for Landscape and Visual Impact Assessment (GLVIA 1), Landscape Institute and Institute of Environmental Assessment (out of print)

A2.7.1.1 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

A2.7.1.2 GLVIA 1 also referred to Countryside Commission (1993) Landscape Assessment Guidance CCP3 423 for further advice on criteria for evaluating landscape quality in England.

A2.8 1999

A2.8.1 Interim Landscape Character Assessment Guidance, C. Swanwick & Land Use Consultants, Countryside Agency and Scottish Natural Heritage (out of print)

Table 4.3: Criteria for making judgments about landscape value

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 tranquility

A2.9 2002

A2.9.1 Landscape Character Assessment: Guidance for England and Scotland (CAX 84), Countryside Agency & Scottish Natural Heritage⁴⁸

A2.9.1.1 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:

⁴⁸ Accessible at <https://www.nature.scot/sites/default/files/2018-02/Publication%202002%20-%20Landscape%20Character%20Assessment%20guidance%20for%20England%20and%20Scotland.pdf>



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

A2.10 2006

A2.10.1 A Statement on Natural Beauty, Sheffield University Landscape Department, Countryside Council for Wales (CCW)⁴⁹

A2.10.1.1 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 tranquility

⁴⁹ Selman, P H and Swanwick, C A (2010) *On the Meaning of Natural Beauty in Landscape Legislation*. Landscape Research, Vol. 35, No. 1, 3–26. Accessible at https://landscapesforlife.org.uk/application/files/4515/8928/8643/Selman_On_The_Meaning_of_Natural_Beauty_2010.pdf



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

A2.10.2 Guidance on Local Landscape Designations, SNH and Historic Environment Scotland⁵⁰

A2.10.2.1 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	Landscapes rich in archaeology, built heritage, literary, artistic and other cultural associations

⁵⁰ Accessible at https://www.nature.scot/guidance-local-landscape-designations?dm_i=10AG,70FHR,5A04CY,S9HBV,1



	historic character and the wider cultural record	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

A2.11 2011

A2.11.1 Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England, Natural England⁵¹

A2.11.1.1 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:

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	

⁵¹ Accessible at https://consult.defra.gov.uk/natural-england/suffolk-coast-and-heaths-aonb/supporting_documents/Guidance%20for%20assessing%20landscapes%20for%20designation%20as%20National%20Park%20or%20AONB%20in%20England.pdf



		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 (eg) 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 guide books, 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

A2.12 2013

A2.12.1 Guidelines for Landscape and Visual Impact Assessment (GLVIA3), Landscape Institute and Institute of Environmental Management & Assessment⁵²

A2.12.1.1 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 tranquility
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

A2.13 2017

A2.13.1 Guidance Note 1: LANDMAP and Special Landscape Areas, Natural Resources Wales⁵³

A2.13.1.1 Paragraph 6.1.2 'Landscape criteria' states 'By definition, a SLA designation usually only applies to areas that are deemed as 'special' in terms of their local landscape character. This reflects

⁵² Available from <https://www.routledge.com/Guidelines-for-Landscape-and-Visual-Impact-Assessment/Landscape-Institute-IEMA/p/book/9780415680042>

⁵³ Accessible at <https://naturalresources.wales/media/680613/landmap-guidance-note-1-landmap-slas-2017.pdf>



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

A2.13.2 Guidance on Local Landscape Areas (Draft), Scottish Natural Heritage and Historic Environment Scotland (now superseded)

A2.13.2.1 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
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A2.14 2020

A2.14.1 Guidance on Designating Local Landscapes, NatureScot and Historic Environment Scotland⁵⁴

A2.14.1.1 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	Landscape facilities and features which are well-used and valued by local communities and visitors.

⁵⁴ Accessible at <https://www.nature.scot/sites/default/files/2020-10/Guidance%20on%20Designating%20Local%20Landscape%20Areas.pdf>



	psychological health and wellbeing of a local community and/or visitors	
Important spatial function	Landscape that performs a clearly identifiable and valued spatial role	Can include, for example, settlement 'gateways', or separation between developments

A2.14.1.2 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 The valued landscape 'policy test' in England

A3.1 2012 NPPF

A3.1.1 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'.⁵⁵ No definition of a 'valued landscape' was given in the NPPF. 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.

A3.1.2 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.

A3.1.3 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 4**. The 'preferred' approach that has emerged is based on the value factors set out in GVLIA3 Box 5.1.

A3.1.4 One particularly influential judgment⁵⁶ 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.

A3.2 2018/9 National Planning Policy Framework (NPPF)

A3.2.1 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 2019 but paragraph 170 remained unchanged. There is still no definition of 'valued landscapes'.

A3.2.2 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: 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)'.

A3.2.3 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 4** 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'.

⁵⁵ 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.

⁵⁶ Stroud DC v SoSCLG [2015] EWHC 488 (See Appendix 2 for further discussion of this judgement)



A3.2.4 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.*

A3.2.1 Statutory status

A3.2.1.1 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 landscape. 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 of natural beauty and (for National Parks only) the opportunities afforded for open-air recreation. Paragraph 170 a) does not alter those requirements.

A3.2.2 Identified quality in the development plan

A3.2.2.1 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.

A3.2.3 Locally designated landscape

A3.2.3.1 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.⁵⁷ However, this interpretation has not been adopted by subsequent inspectors who have identified problems with this approach, in particular:

- *that many planning authorities, following previous policy guidance,⁵⁸ no longer have local landscape designations; and*
- *that some local designations do not have an underlying evidence-base.*

A3.2.3.2 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.⁵⁹

A3.2.4 Development plan policy support

A3.2.4.1 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*

⁵⁷ App 3197293 Pods Brook Road, Braintree, Essex (June 2019)

⁵⁸ Planning Policy Statement (PPS 7): Sustainable development in rural areas (ODPM 2004) - see Appendix 1

⁵⁹ 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.



- *the presence of qualities in the landscape that are identified in the development plan (which includes neighborhood 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.*

A3.2.4.2 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.

A3.2.4.3 Where a landscape has a statutory status, it will not be necessary to undertake an assessment based on Box 5.1 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.

A3.2.5 Valued landscape definition

Landscape qualities are characteristics/features of a landscape that have been identified as being valued. **Table 1** in this TGN provides guidance on the factors that may give rise to such landscape qualities.

A '**valued landscape**' is an area identified as having sufficient landscape qualities to elevate it above other more everyday⁶⁰ landscapes.

A3.2.5.1 Where possible the development plan should be referenced to support the value placed on the landscape qualities. 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 everyday landscapes.*
- *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 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.*
- *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 4**)*

⁶⁰ 'Everyday' landscapes may nevertheless have value to people.



A4 Consideration of inspectors' decisions and case law in relation to the interpretation of 'valued landscapes' in the National Planning Policy Framework (NPPF)

A4.1 Introduction

A4.1.1 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.

A4.1.2 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.

A4.1.1 The 'Stroud Judgement'

A4.1.1.1 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 '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.

A4.1.1.2 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)



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'.

A4.1.2 Demonstrable physical attributes

A4.1.2.1 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 (Para 58).

A4.1.3 The role of the site in the wider landscape

A4.1.3.1 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 para 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'.⁶¹

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

A4.1.4 Does a lack of local landscape designation preclude the presence of a valued landscape?

A4.1.4.1 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).'⁶² 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.

A4.1.4.2 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.'⁶³

A4.1.4.3 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.

A4.1.4.4 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

⁶¹ APP 3160470 West Street Coggeshall Inspector Hill Paragraph 30 2017

⁶² Appeal 3197293 Pods Brook Road, Braintree, Essex Inspector Clegg Paragraph 185 June 2019

⁶³ APP 3200335 Watlington Road, Lewknor Inspector Baugh-Jones Paragraph 40 January 2019



local designation in the development plan' (paragraph 21). In this case an evaluation for potential 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.

A4.1.4.5 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).'⁶⁴

A4.1.5 Implication of the NPPF wording for local landscape designations?

A4.1.5.1 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.*'⁶⁵ (Emphasis added)

A4.1.5.2 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. . . . 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.*'⁶⁶ (Emphasis added)

A4.1.6 If a landscape is not a 'valued landscape' can it still have value?

A4.1.6.1 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

⁶⁴ App 3214324 Poplar Hill, Stowmarket Inspector Clark Paragraph 81, August 2019

⁶⁵ App 3207509 Land off Colchester Road, Bures Hamlet, Inspector Mellor, Paragraph 22, March 2019

⁶⁶ App 3200409 Land west of Old Street, Stubbington, Hampshire, January 2019



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 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 character.⁶⁷ (Emphasis added)

⁶⁷ App 3190779 Bayley Gate Farm, College Road, Cranfield Inspector Stone Paragraph 27, July 2018

