Guidance

Natural environment

Explains key issues in implementing policy to protect and enhance the natural environment, including local requirements.

From: Department for Levelling Up, Housing and Communities (/government/organisations/department-for-levelling-up-housing-and-communities) and Ministry of Housing, Communities & Local Government (/government/organisations/ministry-of-housing-communities-and-local-government)

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This guidance has been updated see previous version (https://webarchive.nationalarchives.gov.uk/ukgwa/20190607171351/https://www.gov.uk/guidance/natural-environment).

Agricultural land, soil and brownfield land of environmental value

How can planning take account of the quality of agricultural land?

The Agricultural Land Classification (http://publications.naturalengland.org.uk/publication/6257050620264448) assesses the quality of farmland to enable informed choices to be made about its future use within the planning system.

There are five grades of agricultural land, with Grade 3 subdivided into 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a. Planning policies and decisions should take account of the economic and other benefits of the best and most versatile agricultural land.

In the circumstances set out in Schedule 4 paragraph (y) of the Development Management Procedure Order 2015, Natural England is a statutory consultee: a local planning authority must consult Natural England before granting planning permission for large-scale non-agricultural development on best and most versatile land that is not in accord with the development plan. Natural England has published guidance on development on agricultural land (https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development).

Paragraph: 001 Reference ID: 8-001-20190721

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How can planning safeguard soils?

Soil is an essential natural capital asset that provides important ecosystem services – for

Protected plants, fungi and lichens: advice for making planning decisions (/guidance/protected-plants-fungi-and-lichens-advice-for-making-planning-decisions)

Water voles: advice for making planning decisions (/guidance/water-voles-advice-for-making-planning-decisions)

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instance, as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution.

Defra has published a Code of practice for the sustainable use of soils on construction sites (https://www.gov.uk/government/publications/code-of-practice-for-the-sustainable-use-of-soils-on-construction-sites) which may be helpful when setting planning conditions for development sites. It provides advice on the use and protection of soil in construction projects, including the movement and management of soil resources.

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How can brownfield land of high environmental value be taken into account?

Some previously developed or 'brownfield' land is of high environmental value, providing habitats for protected or priority species and other environmental and amenity benefits. When allocating land for development or determining a planning application, the biodiversity or geodiversity value of the land and its environmental sensitivity will need to be taken into account so that any harm can be avoided, mitigated or compensated for in a way which is appropriate given the site's identified value.

Not all brownfield sites of high environmental value are designated as sites of importance for biodiversity. Defra has published information on Open Mosaic Habitats (https://hub.jncc.gov.uk/assets/2728792c-c8c6-4b8c-9ccd-a908cb0f1432), a type of priority habitat that is of high ecological value which occurs on brownfield land. Natural England's Open Mosaic Habitat Inventory (https://www.data.gov.uk/dataset/8509c11a-de20-42e8-9ce4-b47e0ba47481/open-mosaic-habitat-draft) can be used as the starting point for detailed assessments.

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Green infrastructure

What can green infrastructure include?

Green infrastructure can embrace a range of spaces and assets that provide environmental and wider benefits. It can, for example, include parks, playing fields, other areas of open space, woodland, allotments, private gardens, sustainable drainage features, green roofs and walls, street trees and ‘blue infrastructure’ such as streams, ponds, canals and other water bodies. References to green infrastructure in this guidance also apply to different types of blue infrastructure where appropriate.

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Why is green infrastructure important?

Green infrastructure is a natural capital asset that provides multiple benefits, at a range of scales. For communities, these benefits can include enhanced wellbeing, outdoor recreation and access, enhanced biodiversity and landscapes, food and energy production, urban cooling, and the management of flood risk. These benefits are also known as ecosystem services.

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What planning goals can green infrastructure help to achieve ?

Green infrastructure can help in:

- **Building a strong, competitive economy**
  Green infrastructure can drive economic growth and regeneration, helping to create high quality

environments which are attractive to businesses and investors.

- **Achieving well-designed places**
  The built environment can be enhanced by features such as green roofs, street trees, proximity to woodland, public gardens and recreational and open spaces. More broadly, green infrastructure exists within a wider landscape context and can reinforce and enhance local landscape character, contributing to a sense of place and natural beauty.
- **Promoting healthy and safe communities**
  Green infrastructure can improve the wellbeing of a neighbourhood with opportunities for recreation, exercise, social interaction, experiencing and caring for nature, community food-growing and gardening, all of which can bring mental and physical health benefits. Outdoor Recreation Value (ORVal) is a useful online tool that can be used to quantify the recreational values provided by greenspace. Green infrastructure can help to reduce health inequalities in areas of socio-economic deprivation and meet the needs of families and an ageing population. It can also help to reduce air pollution and noise.
- **Mitigating climate change, flooding and coastal change**
  Green infrastructure can contribute to carbon storage, cooling and shading, opportunities for species migration to more suitable habitats and the protection of water quality (https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality#water-quality) and other natural resources. It can also be an integral part of multifunctional sustainable drainage and natural flood risk management (https://www.gov.uk/guidance/flood-risk-and-coastal-change).
- **Conserving and enhancing the natural environment**
  High-quality networks of multifunctional green infrastructure contribute a range of benefits, including ecological connectivity, facilitating biodiversity net gain and nature recovery networks and opportunities for communities to undertake conservation work.

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How can a strategic approach be taken to green infrastructure?

Strategic policies can identify the location of existing and proposed green infrastructure networks and set out appropriate policies for their protection and enhancement. To inform these, and support their implementation, green infrastructure frameworks or strategies prepared at a district-wide scale (or wider) can be a useful tool. These need to be evidence-based and include assessments of the quality of current green infrastructure and any gaps in provision. Existing national and local strategies – for example on tree and woodland provision – can inform the approach to green infrastructure; and standards such as the Accessible Natural Greenspace Standard can be applied when assessing provision.

The green infrastructure strategy can inform other plan policies, infrastructure delivery requirements and Community Infrastructure Levy schedules. In view of their potential scope and use, authorities need to collaborate with neighbouring authorities and stakeholders such as Local Nature Partnerships, Health and Wellbeing Boards and Local Enterprise Partnerships when developing green infrastructure strategies.

Paragraph: 007 Reference ID: 8-007-20190721

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How can green infrastructure be considered in planning decisions?

Green infrastructure opportunities and requirements need to be considered at the earliest stages of development proposals, as an integral part of development and infrastructure provision, and taking into account existing natural assets and the most suitable locations and types of new provision.

Depending on individual circumstances, planning conditions, obligations, or the Community Infrastructure Levy may all be potential mechanisms for securing and funding green infrastructure.

Green infrastructure will require sustainable management and maintenance if it is to provide benefits and services in the long term. Arrangements for funding need to be identified as early as possible, and factored into the design and implementation, balancing the costs with the benefits. Local community engagement can assist with management and tailoring provision to local needs.

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Biodiversity, geodiversity and ecosystems

Is there a statutory basis for seeking to conserve and enhance biodiversity?

Section 40 of the Natural Environment and Rural Communities Act 2006 (https://www.legislation.gov.uk/ukpga/2006/16/section/40) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector, which should be seeking to make a significant contribution to the achievement of the commitments made by government in its 25 Year Environment Plan (https://www.gov.uk/government/publications/25-year-environment-plan).

Guidance on the law concerning designated sites and protected species is published separately because its application is wider than planning. In applying this, the aim should be to fulfil statutory

obligations in a way that minimises delays and burdens.

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How can planning authorities plan for biodiversity and geodiversity?

Development plans and planning decisions have the potential to affect biodiversity or geodiversity outside as well as inside relevant designated areas.

Planning authorities and neighbourhood planning bodies can work collaboratively with other partners, including Local Nature Partnerships (https://www.gov.uk/government/policies/protecting-biodiversity-and-ecosystems-at-home-and-abroad/supporting-pages/local-nature-partnerships), to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they need to consider the opportunities that individual development proposals may provide to conserve and enhance biodiversity and geodiversity, and contribute to habitat connectivity in the wider area (including as part of the Nature Recovery Network).

In this context, it is useful to consider:

- the latest government policies that are relevant, including the commitments in the 25 Year Environment Plan (https://www.gov.uk/government/publications/25-year-environment-plan);
- the contents of existing up-to-date plans and strategies for biodiversity and nature recovery;
- the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list (https://jncc.gov.uk/our-work/uk-bap/);
- whether an ecological survey is appropriate;
- opportunities to restore or enhance local ecological networks, including those that contribute to the wider Nature Recovery Network;

- how to secure net gains for biodiversity as part of green infrastructure provision; and
- opportunities to work strategically in order to streamline development decisions: for example, by establishing a 'zone of influence' around protected sites.

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What evidence needs to be taken into account in identifying and mapping local ecological networks?

Relevant evidence in identifying and mapping local ecological networks can include:

- the broad geological, geomorphological and bio-geographical character of the area, creating its main landscapes types;
- key natural systems and processes within the area, including fluvial and coastal;
- the location and extent of internationally, nationally and locally designated sites;
- the distribution of protected and priority habitats and species (https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications);
- areas of irreplaceable natural habitat (https://www.gov.uk/guidance/protected-sites-and-areas-how-to-review-planning-applications);
- habitats where specific land management practices are required for their conservation;
- main landscape features which, due to their linear or continuous nature, support migration, dispersal and gene flow, including any potential for new habitat corridors to link any isolated sites that hold nature conservation value, and therefore improve species distribution;
- areas identified by national or local partnerships with potential for habitat enhancement or restoration, including those necessary to help biodiversity adapt to climate change or which could assist with the habitat shifts and species migrations arising from climate change;

- audits of green infrastructure, such as open space within urban areas;
- information on the biodiversity and geodiversity value of previously developed land and the opportunities for incorporating this in developments; and
- areas of geological value which would benefit from enhancement and management.

Local Nature Partnerships and similar partnerships working to conserve wildlife can be a useful source of information for existing ecological networks.

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How do local ecological networks relate to the Nature Recovery Network?

As set out in the government's 25 Year Environment Plan, the Nature Recovery Network is an expanding and increasingly-connected network of wildlife-rich habitat across England. It comprises a core network of designated sites of importance for biodiversity and adjoining areas that function as stepping stones or wildlife corridors, areas identified for new habitat creation and up to 25 nature recovery areas for targeted action. Defra, Natural England and other government bodies are working with national and local partnerships to deliver the Network, which includes support for developing maps and advice to show where actions to improve and restore habitats would be most effective.

Local ecological networks can make a significant contribution to developing the Nature Recovery Network. Local ecological networks can be identified and mapped as a part of the plan-making process, with policies identifying appropriate levels of protection and opportunities to create, restore or enhance habitats or improve connectivity.

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How can plan-making bodies identify and safeguard Local Wildlife Sites and Local Geological Sites?

Locally designated ‘Local Wildlife Sites’ and ‘Local Geological Sites’ are areas of substantive nature conservation value and make an important contribution to ecological networks and nature’s recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. They can be in in rural, urban or coastal locations, can vary considerably in size, and may comprise a number of separate sites.

National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.

Local planning authorities can take a lead in establishing and maintaining partnerships and systems to identify, manage, enhance and safeguard local sites. The positive engagement and co-operation of land owners and their representative bodies can contribute significantly to the success of these partnerships.

All local sites partnerships need to use clear and locally defined site selection criteria with measurable thresholds. For example, where a particular habitat is especially scarce, it may be appropriate to adopt a lower threshold for selection than would be appropriate for other natural areas so that a suitable range of sites is protected. Selection criteria need to be developed with reference to the standard criteria in the following question, with all sites that meet the relevant criteria (informed by detailed ecological surveys and expertise) then being selected.

Paragraph: 013 Reference ID: 8-013-20190721

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What are the Standard Criteria for Local Wildlife Sites?

Standard Criteria	Detail
Size or extent	Larger sites are important for supporting viable populations of species, but smaller sites can be important as part of a larger habitat resource dispersed across the landscape. Smaller sites can be particularly valuable in areas lacking natural greenspace.
Diversity	Sites should seek to reflect the diversity of wildlife, habitats, geological or geomorphological features that characterise the area.
Naturalness	The degree to which a site supports natural features, including rock exposures revealing underlying geology, or demonstrates active or past natural processes
Rare or exceptional feature	Sites should comprise habitats or geological or geomorphological features that are rare or exceptional in the area. The local loss of a rare species or habitat may result directly in the reduction in its wider geographical range. Geological sites are often unique, formed in environments and processes that no longer exist, and their loss removes part of our understanding of the geological history of an area.
Fragility	Some habitats and geological features are more sensitive to change and are at greater risk of being lost or damaged due to the direct or indirect impacts of climate change, human activities or other influences
Typicalness	Areas that exemplify a type of habitat, geological feature, or a

Standard Criteria	Detail
	population of a species, that is characteristic of the natural components of the landscape in which they are found.
Recorded history and cultural associations	Sites with links to land-use, industrial and cultural history, historic events, literary or other associations in art, and the history of natural environment research can reveal environmental change over time, changes in the use of natural resources or changes in perception of the natural environment.
Connectivity within the landscape	Species may require habitat comprised of dispersed areas which are accessible and part of a functional network. Individual sites (both wildlife and geological) need to be considered in terms of the contribution they make to wider ecological networks.
Value for appreciation of nature and for learning	Sites can provide opportunities for local educational use, enabling people of all ages to learn about, better understand, experience and enjoy local wildlife and geology. Sites with less intrinsic interest may be of nature conservation value for the opportunities they provide for the appreciation of nature. Sites may also provide opportunities for ecological or geological research.

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How can information on ecology be gathered and kept up to date?

A Local Record Centre can be an effective mechanism for facilitating access to environmental information which may be held across many public and voluntary organisations. Such centres provide a one-stop information source, often serving a specific county or grouping of local authorities. Their main function is to collate, manage and disseminate biodiversity information but they may also hold other types of environmental data and can also advise on evidence gathering. The local planning authority can provide contact details if it supports a Local Record Centre.

The Multi-Agency Geographic Information for the Countryside (MAGIC) website (https://magic.defra.gov.uk/MagicMap.aspx) also provides a range of geographical information on the natural environment from across government.

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How can protected and priority species be considered in planning?

Planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications. Guidance on the law affecting Habitats Sites, protected species and SSSIs (https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife).

Natural England has issued standing advice on protected species. A protected species mitigation licence from Natural England may be required before any work can start.

Natural England is working with local partners to develop strategic mitigation approaches to address the impacts of development on certain protected species such as great crested newts.

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How can ecosystems services be taken into account in planning?

Guidance on ecosystems services (https://www.gov.uk/guidance/ecosystems-services) (the benefits people obtain from ecosystems, such as food, water, flood and disease control and recreation) and using an ecosystems approach is available. This guidance can, where appropriate, inform plan-making and decision-making on planning applications.

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How can biodiversity and geodiversity be taken into account in preparing a planning application?

Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation (https://www.gov.uk/guidance/consultation-and-pre-decision-matters) and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Pre-application discussions can help to scope whether this is the case and, if so, the survey work required.

Even where an Environmental Impact Assessment (https://www.gov.uk/guidance/environmental-impact-assessment) is not needed, it might still be appropriate to undertake an ecological survey, for example, where protected species may be present or where biodiverse habitats may be lost.

As with other supporting information, local planning authorities should require ecological surveys only where clearly justified. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity. Further guidance on information

requirements is set out in making an application (https://www.gov.uk/guidance/making-an-application).

Planning conditions (https://www.gov.uk/guidance/use-of-planning-conditions), legal agreements (https://www.gov.uk/guidance/planning-obligations) or undertakings may be appropriate in order to provide for monitoring and/or biodiversity management plans where these are needed.

Paragraph: 018 Reference ID: 8-018-20190721

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What questions are important in applying policy to avoid, mitigate or compensate for significant harm to biodiversity?

The following questions are relevant when applying the 'mitigation hierarchy' at paragraph 175 of the National Planning Policy Framework (https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment#para175):

Information

- Where an Environmental Impact Assessment has been undertaken, what evidence on ecological effects has already been provided in the Environmental Report and is this sufficient without having to undertake more work?
- In cases where biodiversity may be affected, is any further information needed to meet statutory obligations and/or policy obligations (including Ramsar Sites and Local Wildlife Sites) as signposted in guidance published by Defra/Natural England (https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife).
- Is the significance of the effects clear?
- Is relevant internal or external expertise available?

Avoidance

Can significant harm to wildlife species and habitats be avoided; for example by locating on an alternative site with less harmful impacts?

Mitigation

Where significant harm cannot be wholly or partially avoided, can it be minimised by design or by the use of effective mitigation measures that can be secured by, for example, conditions or planning obligations?

Compensation

Where, despite mitigation, there would still be significant residual harm, as a last resort, can this be properly compensated for by measures to provide for an equivalent or greater value of biodiversity?

Where a development cannot satisfy the requirements of the 'mitigation hierarchy', planning permission should be refused as indicated in paragraph 175 of the National Planning Policy Framework (https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment#para175).

Paragraph: 019 Reference ID: 8-019-20190721

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Net gain

What is net gain?

Net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand. Net gain is an umbrella term for both biodiversity net gain and wider environmental net gain.

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How can plans encourage net gain?

Plans, and particularly those containing strategic policies, can be used to set out a suitable approach to both biodiversity and wider environmental net gain, how it will be achieved, and which areas present the best opportunities to deliver gains. Such areas could include those identified in: natural capital plans; local biodiversity opportunity or ecological network maps; local green infrastructure strategies; strategic flood risk assessments; water cycle studies; air quality management plans; river basin management plans; and strategic protected species licensing areas. Consideration may also be given to local sites including where communities could benefit from improved access to nature.

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What is biodiversity net gain?

The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under section 40 of the Natural Environment and Rural Communities Act 2006.

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How can biodiversity net gain be achieved?

Planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity. An applicant may also propose measures to achieve biodiversity net gain through a unilateral undertaking. The work involved may, for example, involve creating new habitats, enhancing existing habitats, providing green roofs, green walls, street trees or sustainable drainage systems. Relatively small features can

often achieve important benefits for wildlife, such as incorporating ‘swift bricks’ and bat boxes in developments and providing safe routes for hedgehogs between different areas of habitat.

Benefits could be achieved entirely on-site or by using off-site gains where necessary. Off-site measures can sometimes be secured from ‘habitat banks’, which comprise areas of enhanced or created habitats which generate biodiversity unit ‘credits’.

Care needs to be taken to ensure that any benefits promised will lead to genuine and demonstrable gains for biodiversity. Discussions with local wildlife organisations can help to identify appropriate solutions, and tools such as the Defra biodiversity metric (https://www.gov.uk/government/collections/biodiversity-offsetting) can be used to assess whether a biodiversity net gain outcome is expected to be achieved. Planning authorities need to make sure that any evidence and rationale supplied by applicants are supported by the appropriate scientific expertise and local wildlife knowledge.

When assessing opportunities and proposals to secure biodiversity net gain, the local planning authority will need to have regard to all relevant policies, especially those on open space, health, green infrastructure, Green Belt and landscape. It will also be important to consider whether provisions for biodiversity net gain will be resilient to future pressures from further development or climate change, and supported by appropriate maintenance arrangements.

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How does biodiversity net gain fit with the mitigation hierarchy?

Biodiversity net gain complements and works with the biodiversity mitigation hierarchy set out in NPPF paragraph 175a (https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment#para175). It does not override

the protection for designated sites, protected or priority species and irreplaceable or priority habitats set out in the NPPF. Local planning authorities need to ensure that habitat improvement will be a genuine additional benefit, and go further than measures already required to implement a compensation strategy.

Paragraph: 024 Reference ID: 8-024-20190721

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How can biodiversity net gain be calculated?

Using a metric is a pragmatic way to calculate the impact of a development and the net gain that can be achieved.

The biodiversity metric (https://www.gov.uk/government/collections/biodiversity-offsetting) can be used to demonstrate whether or not biodiversity net gain will be achieved. It enables calculation of losses and gains by assessing habitat:

- distinctiveness: whether the type of habitat is of high, medium or low value to wildlife.
- condition: whether the habitat is a good example of its type.
- extent: the area that the habitat occupies.

The information needed to populate this metric is taken from habitat surveys of the site before development and any related habitat clearance or management, and for the habitats proposed within the development as well as any additional habitat improvement off-site. The metric translates habitat distinctiveness, condition and extent into a score which is presented in biodiversity units. It also uses multipliers to account for risks in delivering habitat creation or enhancement. To achieve net gain, a development must have a sufficiently higher biodiversity unit score after development than before development.

Paragraph: 025 Reference ID: 8-025-20190721

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What is the baseline for assessing biodiversity net gain?

The existing biodiversity value of a development site will need to be assessed at the point that planning permission is applied for. It may also be relevant to consider whether any deliberate harm to this biodiversity value has taken place in the recent past, and if so whether there are grounds for this to be discounted in assessing the underlying value of the site (and so whether a proposal would achieve a genuine gain).

There are laws to protect important sites and species from harm, for which Natural England have enforcement powers (https://www.gov.uk/guidance/enforcement-laws-advice-on-protecting-the-natural-environment-in-england). In addition, the felling of trees requires a Forestry Commission licence (https://www.gov.uk/guidance/planning-applications-affecting-trees-and-woodland) in most cases before felling can commence. There may be a penalty or requirement to restock if felling occurs without this. There are some exemptions relating to the location, volume and diameter of a tree, and an exemption for felling which is immediately required for the purpose of development authorised by a planning permission.

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How can biodiversity net gain be of lasting value?

New or improved habitat needs to be located where it can best contribute to local, national and international biodiversity restoration, including the Nature Recovery Network proposed in the 25 Year Environment Plan, locally identified ecological or green infrastructure networks and biodiversity opportunity areas. Providing biodiversity net gain close to where people live can improve access to nature and bring health and wellbeing benefits.

It is good practice to establish a detailed management plan to ensure appropriate

management of the habitat in the long term, and to arrange for regular but proportionate monitoring on how the habitat creation or enhancement is progressing, indicating any remedial action necessary. Planning authorities may consider recording where habitat compensation has been established, and how relevant survey and monitoring data can best be utilised to strengthen the local biodiversity evidence base; for example by working with Local Environmental Record Centres.

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What is wider environmental net gain and how can it be achieved?

The aim of wider environmental net gain is to reduce pressure on and achieve overall improvements in natural capital, ecosystem services and the benefits they deliver. For example, habitat improvements can provide a range of benefits such as improvements to soil, water and air quality, flood risk management and opportunities for recreation.

In planning strategically for the enhancement of natural capital, planning authorities can draw upon evidence on natural capital assets, the supply and demand of ecosystem services flowing from them, and existing and future risks and opportunities for these services.

A number of metrics to measure and monitor aspects of wider environmental net gain are under development.

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Trees and woodland

What are the considerations when planning for trees within settlements?

Well-placed and well-chosen trees on streets and in urban spaces can provide a range of benefits: encouraging walking and enhanced physical and mental health; contributing to local environmental character and distinctiveness; providing habitats for wildlife; reducing noise and excessive heat; and supporting sustainable drainage. Changing climate, in particular hotter summers and more frequent periods of dry weather, and unknown pests and diseases, will place new pressures on green infrastructure in the long-term, so trees of the right species and age profile are essential.

The interaction of trees and tree roots with built infrastructure, transport networks, buildings and utility services is complex and requires detailed inter-disciplinary co-operation, with expert arboricultural or forestry advice. The selection of street trees needs to consider which species will best suit the highway environment in the long term, including associated infrastructure and utilities.

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What are the National Forest and Community Forests, and how should development be approached there?

The National Forest and the Community Forests are designed to bring the benefits of multi-purpose trees, woodland and forestry close to where people live. Within these areas developments are expected to include appropriate green infrastructure, in accordance with the National Forest Strategy or an approved Community Forest Plan. Planning policies and decisions need to consider the extent and type of woodland planting necessary to ensure that the new development will contribute to the creation and emerging character of the Forests.

The National Forest Company Guide for developers and planners will be available, after revision, to download from The National Forestry Company website.

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How can I find out whether an area contains ancient woodland?

A starting point is to look at the relevant ancient woodland inventory. These inventories comprise digitised maps of sites that are thought to have been continuously wooded since 1600 AD. The national ancient woodland inventory (https://naturalengland-defra.opendata.arcgis.com/datasets/a14064ca50e242c4a92d020764a6d9df_0/explore?location=52.860583%2C-2.004678%2C7.64) is published and updated by Natural England.

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How can I find out whether a site contains ancient or veteran trees?

Ancient trees are trees in the ancient stage of their life. Veteran trees may not be very old but exhibit decay features such as branch death or hollowing. Trees become ancient or veteran because of their age, size or condition. Not all of these three characteristics are needed to make a tree ancient or veteran as the characteristics will vary from species to species. Further guidance on ancient and veteran trees is set out in the Forestry Commission and Natural England standing advice (https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences).

The Ancient Tree Inventory (https://ati.woodlandtrust.org.uk/) can help identify ancient and veteran trees, although not all known ancient and veteran trees are included. Local Records Centres and other organisations with an interest in trees may also be able to advise on the location of known ancient or veteran trees. Tree surveys and site assessments may be needed to identify the ancient and veteran trees on a site and inform planning decisions.

Paragraph: 032 Reference ID: 8-032-20190721

Revision date: 21 07 2019

How can local planning authorities assess the potential impact of development proposals on ancient woodland and ancient or veteran trees?

Local planning authorities need to consider both the direct and indirect impacts on ancient woodland and ancient or veteran trees when assessing development proposals and the scope for avoiding or mitigating adverse impacts. Their existing condition is not something that ought to affect the local planning authority's consideration of such proposals (and it should be borne in mind that woodland condition can usually be improved with good management).

When assessing whether 'wholly exceptional reasons' exist that may justify a loss or deterioration of ancient woodland, ancient trees or veteran trees, it will not be appropriate to take any compensation measures into account. These should be considered only once the existence of 'wholly exceptional circumstances' has been ascertained.

Further guidance is set out in the Forestry Commission and Natural England standing advice (https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences).

Paragraph: 033 Reference ID: 8-033-20190721

Revision date: 21 07 2019

What compensation can be provided if development resulting in loss or harm is, exceptionally, permitted?

Where development that results in the loss or deterioration of ancient woodland, ancient or veteran trees is exceptionally permitted in line with the Framework, a suitable compensation strategy should be secured and implemented via planning conditions or obligations. Compensation measures need to be decided on a case by case basis and be appropriate to the scale, nature and impacts of the development, but it is desirable for them to be provided as close to the development site as possible. Appropriate compensation might include:

- Planting new native woodland or wood pasture
- Restoring or improving other nearby ancient woodland
- Improving connections between the ancient woodland and other woodlands or habitats
- Planting individual trees that could become ancient or veteran trees in future

Paragraph: 034 Reference ID: 8-034-20190721

Revision date: 21 07 2019

Do the Forestry Commission and Natural England need to be consulted where development proposals affect ancient woodland?

The Forestry Commission (https://www.gov.uk/government/organisations/forestry-commission) is a non-statutory consultee for development proposals that contain or are likely to affect ancient woodland (as defined and recorded in Natural England's ancient woodland inventory), including proposals where any part of the development site is within 500 metres of the boundary of an ancient woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings.

Natural England is a statutory consultee for proposals which may affect a Site of Special Scientific Interest. The Forestry Commission and Natural England have prepared standing advice (https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences) to provide assistance to local planning authorities in considering proposals which affect ancient woodland or ancient and veteran trees. This is a material consideration in appropriate circumstances.

Paragraph: 035 Reference ID: 8-035-20190721

Revision date: 21 07 2019

Landscape

How can planning policies conserve and enhance landscapes?

The National Planning Policy Framework is clear that plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes. This can include nationally and locally-designated landscapes but also the wider countryside.

Where landscapes have a particular local value, it is important for policies to identify their special characteristics and be supported by proportionate evidence. Policies may set out criteria against which proposals for development affecting these areas will be assessed. Plans can also include policies to avoid adverse impacts on landscapes and to set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary. The cumulative impacts of development on the landscape need to be considered carefully.

Paragraph: 036 Reference ID: 8-036-20190721

Revision date: 21 07 2019

How can the character of landscapes be assessed?

For a designated landscape, the relevant management plan will contain further information on the area's particular character and beauty.

Where appropriate, landscape character assessments can be prepared to complement Natural England's National Character Area profiles. Natural England provides guidance on undertaking these assessments (https://www.gov.uk/guidance/landscape-and-seascape-character-assessments).

To help assess the type and scale of development that might be able to be accommodated without compromising landscape character, a Landscape Sensitivity and Capacity Assessment can be completed.

To demonstrate the likely effects of a proposed development on the landscape, a Landscape and Visual Impact Assessment can be used.

Paragraph: 037 Reference ID: 8-037-20190721

Revision date: 21 07 2019

How can I find out about National Parks, the Broads and Areas of Outstanding Natural Beauty?

Information about the National Parks and Broads and the government's priorities for these protected landscapes is in the National Parks circular: English National Parks and the Broads: UK government vision and circular 2010 (https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010). There is no equivalent circular on Areas of Outstanding Natural Beauty, but Natural England has published information on Areas of Outstanding Natural Beauty (https://www.gov.uk/guidance/areas-of-outstanding-natural-beauty-aonbs-designation-and-management).

Paragraph: 038 Reference ID: 8-038-20190721

Revision date: 21 07 2019

What are the statutory duties of local planning authorities in relation to National Parks, the Broads and Areas of Outstanding Natural Beauty?

Section 11A(2) of the National Parks and Access to the Countryside Act 1949, section 17A of the Norfolk and Suffolk Broads Act 1988 (https://www.legislation.gov.uk/ukpga/1988/4/section/17A) and section 85 of the Countryside and Rights of Way Act 2000 (https://www.legislation.gov.uk/ukpga/2000/37/section/85) require that 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes for which these areas are

designated. A list of the public bodies and persons covered under 'relevant authorities' is found in Defra guidance on this duty (https://webarchive.nationalarchives.gov.uk/ukgwa/20130402151656/http:/archive.defra.gov.uk/rural/documents/protected/npaonb-duties-guide.pdf) (PDF, 95KB), and Natural England has published good practice guidance.

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

Paragraph: 039 Reference ID: 8-039-20190721

Revision date: 21 07 2019

Do planning policies and decisions need to take account of management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty?

Management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty do not form part of the statutory development plan, but they help to set out the strategic context for development. They provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.

Paragraph: 040 Reference ID: 8-040-20190721

Revision date: 21 07 2019

How should development within National Parks, the Broads and Areas of Outstanding Natural

Beauty be approached?

The National Planning Policy Framework makes clear that the scale and extent of development in these areas should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty. Its policies for protecting these areas may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas. Effective joint working between planning authorities covering designated and adjoining areas, through the preparation and maintenance of statements of common ground, is particularly important in helping to identify how housing and other needs can best be accommodated.

All development in National Parks, the Broads and Areas of Outstanding Beauty will need to be located and designed in a way that reflects their status as landscapes of the highest quality. Where applications for major development come forward, paragraph 172 of the Framework (https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment#para172) sets out a number of particular considerations that should apply when deciding whether permission should be granted.

Paragraph: 041 Reference ID: 8-041-20190721

Revision date: 21 07 2019

How should development within the setting of National Parks, the Broads and Areas of Outstanding Natural Beauty be dealt with?

Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is

complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.

Paragraph: 042 Reference ID: 8-042-20190721

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What are Heritage Coasts and where can I find out about them?

Heritage Coasts are stretches of our most beautiful, undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve access for visitors. Most of the defined Heritage Coast is covered (on land) by either Area of Outstanding Natural Beauty or National Park designations. Planning policies and decisions should be assessed against paragraph 173 (https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment#para173) (and footnote 55 (https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment#fn:55)) of the National Planning Policy Framework. Natural England has published advice on Heritage Coasts (https://www.gov.uk/government/publications/heritage-coasts-protecting-undeveloped-coast). The Marine Management Organisation produces guidance on marine planning (https://www.gov.uk/government/collections/marine-planning-in-england) which may also be relevant to protecting Heritage Coasts.

Paragraph: 043 Reference ID: 8-043-20190721

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