



Planning shapes the places where people live and work and the country we live in. It plays a key role in supporting the Government's wider social, environmental and economic objectives and for sustainable communities.

## Planning Policy Statement: Consultation

Consultation paper on a new Planning Policy Statement: Planning for a Natural and Healthy Environment





## **Consultation paper**

on a new Planning Policy Statement:  
Planning for a Natural and Healthy Environment

March 2010

Department for Communities and Local Government

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# Contents

About this consultation	2
The consultation process	4
PART 1: Policy Discussion	7
Introduction	7
Policy Background	8
Proposed Approach	10
Practice Guidance	12
Consultation Stage Impact Assessment	12
PART 2: Consultation Draft	13
Contents	13
Introduction	14
The Government's Objectives	14
Plan-Making Policies	16
Development Management Policies	19
Annex A: Definitions	25
Annex B: Open Space and Green Infrastructure Typologies	26
PART 3: Consultation Questions	27
PART 4: Consultation Stage Impact Assessment	32

## About this consultation

### SCOPE OF THE CONSULTATION

<b>Topic of this consultation:</b>	This is a consultation document on a new planning policy statement (PPS) on planning for the natural environment, green infrastructure, open space, sport, recreation and play.
<b>Scope of this consultation:</b>	In its final form this PPS will replace <i>Planning Policy Statement 9: Biodiversity and Geological Conservation</i> (PPS9); <i>Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation</i> (PPG17); <i>Planning Policy Statement 7: Sustainable Development in Rural Areas</i> (PPS7) – in so far as it relates to landscape protection (paragraphs 21 to 23), soil and agricultural land quality (paragraphs 28 and 29) and forestry (paragraph 33); and <i>Planning Policy Guidance 20: Coastal Planning</i> (PPG20) in so far as it relates to coastal access, heritage coast and the undeveloped coast (paragraphs 2.9, 2.10 and 3.9). It takes account of the commitment in the 2007 white paper <i>Planning for a Sustainable Future</i> to streamline existing PPGs and PPSs and separate out policy from guidance.
<b>Geographical scope:</b>	The draft PPS sets out the national policy for England.
<b>Impact assessment:</b>	The consultation includes a draft impact assessment, on which comments are also invited.

### BASIC INFORMATION

<b>To:</b>	Local planning authorities, responsible regional authorities, key stakeholders and the general public.
<b>Body/bodies responsible for the consultation:</b>	Planning Resources and Environmental Policy Division, Planning Directorate, Communities and Local Government.
<b>Duration:</b>	12 week public consultation.

<b>Enquiries:</b>	Chris Kent Communities and Local Government Planning Resources and Environment Policy Zone 1/A1 Eland House Bressenden Place London SW1E 5DU Telephone: 0303 444 1703 Email: NEOS_Consultation@communities.gsi.gov.uk
<b>How to respond:</b>	Preferably by email using the details above.
<b>Additional ways to become involved:</b>	We will be engaging with key stakeholders during the consultation period to discuss the draft PPS and to hear their views.
<b>After the consultation:</b>	The responses to the consultation and stakeholder engagement will inform revision of the policy statement which we expect to be published later in 2010. The PPS will be supported by updated practice guidance which will be developed with stakeholders.
<b>Compliance with the code of practice on consultation:</b>	The consultation complies with the code.

## BACKGROUND

<b>Getting to this stage:</b>	Since the Planning white paper <i>Planning for a Sustainable Future</i> was published in 2007 the Government has been considering its strategy for delivering its commitment to review the planning policy framework.
<b>Previous engagement:</b>	CLG has held a range of pre-consultation meetings with stakeholders drawn from other Government Departments and their agencies, and a number of stakeholder groups with an interest in this area.

## The consultation process

1. We look forward to receiving comments and views on this planning policy statement on planning for the natural environment, green infrastructure, open space, sport, recreation and play by 1 June 2010. You may wish to refer to Part 3 in making your response. This sets out the questions on which we would like your views.
2. Responses to the consultation can be made online at:  
<https://ppsnheconsultation.communities.gov.uk>  
or sent to:  
Chris Kent  
Planning Resources and Environment Policy  
Communities and Local Government  
Zone 1/A1  
Eland House  
Bressenden Place  
London SW1E 5DU  
Email: [NEOS\\_Consultation@communities.gsi.gov.uk](mailto:NEOS_Consultation@communities.gsi.gov.uk)  
  
It would be helpful if responses from representative groups could give a summary of the people and organisation they represent.
3. We intend to publish a summary of responses to this consultation within three months of the close of this consultation on the Communities and Local Government website. Paper copies of the summary will be available on request.
4. All responses will be made public unless confidentiality is specifically asked for. However, correspondents should be aware that confidentiality cannot always be guaranteed, for example where a response includes evidence of a serious crime. Any automatic confidentiality disclaimer generated by your organisation's IT system will not be respected unless you specifically include a request to the contrary in the main text of your response.
5. This consultation is being conducted in accordance with the Government's code of practice on written consultation. The criteria are reproduced below. Any procedural observations or complaints about the consultation exercise should be sent to:  
  
Communities and Local Government Consultation Co-ordinator  
Zone 6/H10  
Eland House  
Bressenden Place  
London SW1E 5DU  
Email: [consultationcoordinator@communities.gsi.gov.uk](mailto:consultationcoordinator@communities.gsi.gov.uk)

## CONSULTATION CRITERIA

1. This consultation document and consultation process have been planned to adhere to the code of practice on consultation issued by the Department for Business, Innovation and Skills and is in line with the seven consultation criteria, which are:
  - formal consultation should take place at a stage when there is scope to influence the policy outcome
  - consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible
  - consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals
  - consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach
  - keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained
  - consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation
  - officials running consultations should seek guidance on how to run an effective consultation exercise and share what they have learned from the experience
2. Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.
3. Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these area primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).
4. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

5. The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.
6. Individual responses will not be acknowledged unless specifically requested.
7. Your opinions are valuable to us. Thank you for taking the time to read this document and respond.
8. Are you satisfied that this consultation has followed these criteria? If not or you have any other observations about how we can improve the process please contact:

CLG Consultation Co-ordinator

Zone 6/H10

Eland House

London SW1E 5DU

Email: [consultationcoordinator@communities.gsi.gov.uk](mailto:consultationcoordinator@communities.gsi.gov.uk)

# PART 1: Policy Discussion

## PLANNING FOR A NATURAL AND HEALTHY ENVIRONMENT

### INTRODUCTION

The planning system aims to deliver sustainable development. This means ensuring that the right development is delivered in the right place and at the right time, in a way that protects, and where possible, enhances the natural environment, conserves the countryside and provides an appropriate quantity and range of types of open and green spaces to meet the needs of communities.<sup>1</sup>

Planning can also make a significant contribution to both mitigating and adapting to climate change through its ability to influence the location, scale, mix and character of development<sup>2</sup> and through the provision of well planned green spaces within and between developments. Strategic networks of green spaces, commonly referred to as green infrastructure, can provide a wide range of environmental benefits (ecosystem services) in both rural and urban areas including flood water storage, sustainable drainage, urban cooling and local access to shady outdoor space. Green infrastructure also provides habitats for wildlife, and through the creation and enhancement of 'green corridors', should aid the natural migration of more species responding to the changing climate. Because of their size and longevity, trees can play a particularly important role in delivering many of the above benefits, as well as helping to create attractive, sustainable communities and providing an important link with the past and the history of an area.

Open space more generally, whether part of a green infrastructure network or not, can serve as a vital focal point for community activities – bringing together members of communities and providing opportunities for social interaction. It plays a vital role in promoting healthy living and in the social development of children through play, sporting activities and interaction with others. In rural settlements, open spaces and accessibility to local sports and recreational facilities contribute to the quality of life and wellbeing of rural communities. The countryside and coast also provide opportunities for recreation.

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<sup>1</sup> Planning Policy Statement 1 (*Delivering sustainable development*).

<sup>2</sup> CLG is undertaking a parallel consultation on *Planning Policy Statement: Planning for a low carbon future in a changing climate* which will replace the existing supplement to PPS1 (*Planning and climate change*) and PPS22 (*Renewable energy*).

## POLICY BACKGROUND

Planning policies aimed at the protection of the natural environment are currently set out in a number of Planning Policy Statements (PPSs). *Planning Policy Statement 9: Biodiversity and Geological Conservation* (PPS9), published in 2005, seeks to contribute, through the planning system, to the delivery of the Government's biodiversity strategy *Working with the grain of nature: a biodiversity strategy for England* (Defra, 2002). The strategy sets out the Government's vision for conserving and enhancing biological diversity in England and includes the broad aim that planning, construction, development and regeneration should have minimal impacts on biodiversity and geodiversity<sup>3</sup> and should enhance it wherever possible. The draft PPS contains policies to maintain, and enhance, restore or add to biodiversity and geodiversity through the planning system. It includes policies to promote opportunities for the incorporation of beneficial biodiversity and geological features within the design of development, and to maintain networks of natural habitats by avoiding their fragmentation and isolation. It suggests this may be done as part of a wider strategy for the protection and extension of open space and access routes such as canals and rivers.

While the planning policy on biodiversity will remain the same, the legal protection given to certain habitats and species has changed as a result of recent case law. Guidance to local planning authorities on their statutory obligations in this area, currently in the joint *ODPM Circular 06/2005 and Defra Circular 01/2005*, is being revised and a draft Circular is being consulted on in parallel with the draft PPS.

The Government signed the Council of Europe's European Landscape Convention<sup>4</sup> in February 2006 which became binding from March 2007. It requires all types of landscape, whether they are outstanding, ordinary or degraded to be valued, and advises that the characteristics of different areas be identified and assessed and landscape quality objectives identified for them. These objectives can then guide policy making and decision taking. Planning policies on landscape protection in National Parks, Areas of Outstanding Natural Beauty and the Broads, and areas of local landscape importance are currently in *Planning Policy Statement 7: Sustainable Development in Rural Areas* (PPS7), while those on the undeveloped coast and Heritage Coasts are in *Planning Policy Guidance 20: Coastal Planning* (PPG20).

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<sup>3</sup> Geodiversity is the variety of geological (rocks, minerals, fossils), geomorphological (land form, processes) and soil features.

<sup>4</sup> Available at: [www.coe.int/t/dg4/cultureheritage/heritage/landscape/default\\_EN.asp](http://www.coe.int/t/dg4/cultureheritage/heritage/landscape/default_EN.asp)

The Government's forestry policy, set out in *A Strategy for England's Trees, Woods and Forests* (Defra, 2007) has five key aims for government intervention in trees, woods and forests. These include: to provide, in England, a resource of trees, woods and forests in places where they can contribute most in terms of environmental, economic and social benefits now and for future generations; to ensure that existing and newly planted trees, woods and forests are resilient to the impacts of climate change and also contribute to the way in which biodiversity and natural resources adjust to a changing climate; and to increase the contribution that trees, woods and forests make to our quality of life. The strategy provides national policy direction for the preparation of Regional Forestry Frameworks which should feed into the planning system, where appropriate, through regional strategies. Planning policies on forestry are currently contained in PPS7.

The soil strategy *Safeguarding our Soils: A Strategy for England* (Defra, 2009) provides a vision that by 2030, all soils in England will be managed sustainably and degradation threats tackled successfully. Planning policies on soils, which are relevant to the draft PPS,<sup>5</sup> are contained in PPS7.

The quality of the built environment can have significant impacts on a wide range of social issues including crime, health, education, inclusion, community cohesion and wellbeing. It can also, in part, help address many health challenges – such as reducing obesity, diabetes, heart disease and depression – through promoting more active life-styles, including walking, cycling and jogging. *Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation* (PPG17) provides the planning framework for the provision and protection of open and green spaces, and sports and recreational facilities. It promotes a strategic, evidence-based approach to the provision of quality open spaces by requiring local authorities to audit existing facilities and make rigorous assessments of the existing and future needs of their communities for open space, sports and recreational facilities. These audits and assessments should be used by planning authorities to set robust local standards of provision for inclusion in their development plans. Existing benefits from planning for open space include improved access to good quality sport and recreational facilities which in turn promote social inclusion, health and wellbeing.

The recently published Government strategy on the quality of place *World Class Places* (May 2009) sets out the Government's vision that all places are planned, designed and developed to provide everyone, including future generations, with a decent quality of life and fair chances. It sees green infrastructure as a core ingredient of this vision. This message and vision is consistent with a number of other cross-Government initiatives. For example:

- *Healthy Weight, Healthy Lives: A Cross-Government Strategy for England* (Department of Health, January 2008) gave the Government's commitment to creating supportive built environments, which help tackle obesity and support healthy communities.

<sup>5</sup> PPS23 (*Planning and pollution control*) also contains policies dealing with soil protection, but these are outside the scope of this PPS.

- *Be Active, Be Healthy – A Plan for Getting the Nation Moving* (Department of Health, February 2009) sets out the Government’s strategy for promoting physical activity in our everyday lives alongside sport and based upon local needs, with particular emphasis upon the physical activity legacy of the 2012 London Olympic and Paralympic Games. A key objective is creating active environments: ensuring that people have access to high quality open spaces and that new developments seek to increase opportunities for physical activity.
- *The Play Strategy* (Department of Children, Schools and Families and Department of Culture, Media and Sport, December 2008) sets out the Government’s long term vision for play which includes the provision of a range of safe and exciting places for children of all ages to play close to where they live.
- *Waterways for Everyone* (Defra consultation draft, 2010) sets out the Government’s draft strategy for the inland waterways for England and Wales. It explains the cross-cutting and multi-functional nature of waterways and the contribution they make to quality of life including through their contribution to green infrastructure.

## PROPOSED APPROACH

In May 2007 the Government published its white paper *Planning for a Sustainable Future*. Amongst the white paper’s proposals was a commitment to produce a more strategic and clearly focused national policy framework, with *Planning Policy Statement 1: Delivering Sustainable Development* (PPS1) at its heart. A key first step is a comprehensive review of current planning policy statements and guidance and other relevant policy material. The aim is to achieve a significant streamlining of the existing suite of documents by separating out policy from guidance.

A key objective of this single new PPS is therefore to bring together related policies on the natural environment and on open and green spaces in rural and urban areas to ensure that the planning system delivers healthy sustainable communities which adapt to and are resilient to climate change and gives the appropriate level of protection to the natural environment.

Another objective for the streamlining and consolidation of policy in this area is to deliver, for the first time, planning policy on green infrastructure. Key considerations for green infrastructure are the functions or ecosystem services it provides. It should therefore be considered at a broader scale than is necessarily the case for individual areas of open space. Natural England, for example, suggests that it should consider the “landscape context, hinterland and setting, as well as strategic links of sub-regional scale and beyond”. It should also take into account the contribution that private assets (e.g. back gardens) as well as public assets (e.g. parks) make to green infrastructure.

Therefore, while the existing planning policies and approach on the different components of the natural environment and on open and green spaces remain valid, and taken together go a long way to delivering many of the components of green infrastructure, the new policy recognises that there are subtle differences between planning for open space and planning for green infrastructure.<sup>6</sup>

Policy NE2.1 in the draft PPS therefore requires the relevant regional authority to address regional, sub-regional and cross-boundary issues in relation to biodiversity, geodiversity, landscape protection and green infrastructure in its regional strategy. Policy NE4.1 requires local planning authorities to build on the work undertaken at the regional level, and to set out in their local development framework a strategic approach for the creation, protection and management of networks of green infrastructure. The new policy does not require local planning authorities to produce and publish green infrastructure 'strategies', and the expectation is that much of the information already collected for the PPG17 open space strategies can be used at regional, sub-regional and local level to develop the evidence base for green infrastructure delivery.

Encouraging local planning authorities to take a more strategic and 'big picture' approach to green infrastructure should give them a better understanding of their existing green infrastructure network and its functions. This in turn should contribute to better decisions being made about its protection and management and, where a need is identified, the allocation in plans of additional land which could contribute to the network.

The Government continues to support the need to make adequate provision of land and facilities for sport, recreation and children's play, and intends to maintain the existing policies in PPG17. Local planning authorities will continue to be required to protect from development existing land and facilities unless it can be demonstrated that they are surplus to requirements. Where deficits are identified, local planning authorities should identify opportunities to improve provision either by providing new facilities or by making better use of existing ones.

One area where the Government is considering modifying the existing policy relates to the determination of applications involving the floodlighting of sports and recreational facilities. The existing wording in PPG17 states that in considering planning applications the local planning authority should protect amenity. While this remains an important consideration, it is also recognised that the use of floodlights can extend the time that outdoor facilities can be used, particularly in the winter, thereby increasing the level of provision of facilities and the health and wellbeing benefits they provide. The proposal is therefore to amend the wording of the existing policy to make it clearer that local planning authorities should consider and balance the impact on local residents against the wider benefits to the community, particularly those using the facilities. It should also take account of any significant impacts on biodiversity. The intention is not to allow all floodlighting proposals, but it does recognise that floodlighting technology has developed significantly in recent years, reducing the amount of sky glow and light that falls onto adjacent properties. Planning conditions can be used to control the height of the pylons, the lighting intensity and the times the floodlights are used.

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<sup>6</sup> *Green Infrastructure Guidance* (Natural England, 2009).

## **PRACTICE GUIDANCE**

We are not including details of practice guidance as part of the consultation process for this draft PPS. We are currently reviewing the existing companion guides for PPS9 and PPG17. Once we have completed this review, we will develop new practice guidance that reflects the outcomes of this consultation process. We intend to develop this with the help of Natural England, CABE, Sport England and other stakeholders. There will also be opportunities, outside the formal consultation process for this PPS, for stakeholders to shape and influence the guidance so that it is as useful as possible.

## **CONSULTATION STAGE IMPACT ASSESSMENT**

A consultation stage impact assessment, setting out the costs and benefits of the draft PPS is provided in Part 4 of this consultation document. It concludes that:

1. Streamlining planning policy may impose initial familiarisation costs but these should be outweighed by resource and time savings for users of the policy, the benefits of a reduction in duplication and complexity, and the clarity that the revised policy brings for practitioners.
2. New policies will encourage a strategic approach which supports the creation, management and protection of better networks of green infrastructure and build on the environmental benefits of existing green spaces. While there will be 'new' policies on green infrastructure, these are effectively provided for through the bringing together of existing policies on the protection and enhancement of natural habitats (PPS9) and open and green spaces (PPG17).
3. The proposed planning policy on the floodlighting of sports and recreational facilities would have potential benefits for the health and wellbeing of those making use of the increased provision of sport and recreation in an area resulting from the potential to extend the usage of facilities. However, it is possible that in some locations there could be an impact on the amenity of those living in the vicinity if the impacts of additional floodlighting are not properly considered as part of the planning process.

**As part of this consultation exercise your comments are also invited on the consultation stage impact assessment.**

## PART 2: Consultation Draft

### CONTENTS

INTRODUCTION	14
THE GOVERNMENT'S OBJECTIVES	14
PLAN-MAKING POLICIES	16
Policy NE1: Evidence base for plan-making	16
Policy NE2: Regional planning approach	16
Policy NE3: Local planning approach for the natural environment	17
Policy NE4: Local planning approach for green infrastructure	18
Policy NE5: Local planning approach to open space, sport, recreation and play	18
Policy NE6: Local planning approach to recreational rights of way	19
Policy NE7: Local planning approach to the undeveloped coast and coastal access	19
DEVELOPMENT MANAGEMENT POLICIES	19
Policy NE8: Policy principles guiding the determination of applications in relation to the natural environment	19
Policy NE9: Policy principles relating to the maintenance of an adequate supply of open space, green infrastructure, sports, recreational and play facilities	21
Policy NE10: Policy principles guiding the determination of applications affecting playing fields	23
Policy NE11: The consideration of applications for floodlighting for sports and recreational facilities	23
Policy NE12: Proposals for sport and recreation requiring natural features and water	24
Policy NE13: Sport and recreation provision in nationally designated areas	24
Policy NE14: Proposals for major sports development and mixed use sport and recreational facilities	24
ANNEX A: DEFINITIONS	25
ANNEX B: OPEN SPACE AND GREEN INFRASTRUCTURE TYPOLOGIES	26

## INTRODUCTION

Planning policy statements (PPSs) set out the Government's national policies on different aspects of spatial planning in England. This document sets out planning policies on the conservation and enhancement of the natural environment and the habitats and species it supports, green infrastructure, open space and land and related facilities for sport, recreation and play.<sup>7</sup> These policies should be read alongside other relevant statements of national planning policy.

In its final form this PPS will replace *Planning Policy Statement 7: Sustainable Development in Rural Areas* (PPS7) – in so far as it relates to landscape protection (paragraphs 21 – 23), soil and agricultural land quality (paragraphs 28 and 29) and forestry (paragraph 33); *Planning Policy Statement 9: Biodiversity and Geological Conservation* (PPS9); *Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation* (PPG17); and *Planning Policy Guidance 20: Coastal Planning* (PPG20) in so far as it relates to coastal access, heritage coast and the undeveloped coast (paragraphs 2.9, 2.10 and 3.9).

The development plan-making policies in this PPS must be taken into account by responsible regional authorities in the preparation of regional strategies,<sup>8</sup> by the Mayor of London in relation to the spatial development strategy for London, and by local planning authorities in the preparation of local development documents.<sup>9</sup> The preparation of development plans should not be delayed to unnecessarily take the policies in this PPS into account. Development plans should not repeat development management policies in this PPS or reformulate them<sup>10</sup> unless there are specific factors justifying variation of these policies.

The policies in this PPS are a material consideration which must be taken into account in development management decisions, where relevant.<sup>11</sup> Therefore the development management policies in this PPS can be applied directly by the decision-maker when determining whether development should proceed.

<sup>7</sup> Definitions of these terms as applied to this PPS and an explanation of their overlap are set out in the Annexes.

<sup>8</sup> See Section 77(1) the Local Democracy, Economic Development and Construction Act 2009

<sup>9</sup> See Section 19(2) of the Planning and Compulsory Purchase Act 2004

<sup>10</sup> See paragraphs 4.30-4.32 of Planning Policy Statement 12: Local Spatial Planning

<sup>11</sup> See Section 38(6) of the Planning and Compulsory Purchase Act 2004

## THE GOVERNMENT'S OBJECTIVES

Sustainable development is the core principle underpinning planning.<sup>12</sup> This means that as well as providing for the development needs of all in the community, contributing to economic growth and supporting social justice, planning should ensure that development is delivered in a way which protects and enhances the natural environment and provides places which contribute to the quality of life, health and wellbeing of those living and working there.

To achieve this overarching aim, it is the Government's policy that planning should:

- conserve and enhance the natural environment, including the quality, character and value of the landscape, biodiversity, geodiversity and soil within rural and urban areas by ensuring that:
  - the natural environment is integrated into the strategic vision of communities
  - policies and decisions are based on an understanding of the nature, extent and value of the natural environment and recognise its importance; and
  - construction, development and regeneration has minimal impacts on biodiversity and should enhance it wherever possible to contribute to the overall aim of no net loss to biodiversity.
- minimise vulnerability of places, people and wildlife to the impacts of climate change and contribute to effective climate change adaptation measures by maintaining, creating and improving networks of green infrastructure within both urban and rural areas
- deliver safe and attractive places to live, which respect the character of the area, promote health and wellbeing, and reduce social inequalities by ensuring that people have access to high quality open spaces, green infrastructure and sports, recreational and play spaces and facilities which are safely and easily accessible by walking, cycling or public transport
- provide access and appropriate recreational opportunities in rural and coastal areas to enable urban and rural dwellers to enjoy the wider countryside.

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<sup>12</sup> *Planning Policy Statement 1: Delivering Sustainable Development (PPS1)*

## PLAN-MAKING POLICIES

### Policy NE1: Evidence base for plan-making

- NE1.1 Regional and local planning authorities should work together to ensure that they have up-to-date information, at the appropriate scale, about the characteristics of the natural environment in their areas to inform plan-making.
- NE1.2 Responsible regional authorities should work with appropriate organisations to identify:
- (i) the regional and sub-regional distribution of habitats and species of principal importance<sup>13</sup>, internationally and nationally designated areas for biodiversity and geodiversity, and broad opportunity areas for habitat restoration and re-creation
  - (ii) likely changes to the distribution and characteristics of habitats and species as a result of climate change
  - (iii) the objectives of the nationally designated and defined landscapes of National Parks, the Broads, Areas of Outstanding Natural Beauty (AONBs) and Heritage Coasts as laid out in their management plans and other documents
  - (iv) strategic sport and recreational facilities, which due to their size, uniqueness, or potential catchment area are of regional significance.
- NE1.3 Local planning authorities should undertake, and keep up-to-date:
- (i) assessments of the existing and future needs of their communities for open space, green infrastructure, sports, recreational and play facilities; and
  - (ii) audits of the existing provision in their area of such land and facilities taking into account its quantity, quality, accessibility, typology and location.
- NE1.4 In preparing the evidence base for plan-making, consideration should be given to joint working across local authority boundaries and between tiers (in two tier areas) to develop the assessments and audits set out in NE1.3.

### Policy NE2: Regional planning approach

- NE2.1 The Regional Strategy should:
- (i) address regional, sub-regional and cross-boundary issues in relation to biodiversity, geodiversity, landscape and green infrastructure, particularly in areas of growth and renewal where substantial amounts of development will be delivered and in areas which will be most vulnerable to the impacts of climate change

<sup>13</sup> The Secretary of State for Environment, Food and Rural Affairs has published a list of priority habitats and species under Section 41 of the Natural Environment and Rural Communities Act 2006.

- (ii) incorporate targets linked to national goals and appropriate for their regions for the restoration and re-creation of priority habitats and the recovery of priority species populations
- (iii) have regard to the relevant objectives of the Regional Forestry Framework to secure trees and woods for future generations.

### **Policy NE3: Local planning approach for the natural environment**

- NE3.1 Local development frameworks should, subject to policy NE3.2, set out policies for the conservation, restoration, enhancement and enjoyment of the natural environment in their area which are consistent with national, regional and local biodiversity, geodiversity and landscape priorities, objectives and targets (including those agreed by local biodiversity partnerships, and the statutory management plans of National Parks, the Broads and AONBs).
- NE3.2 Local planning authorities should cross refer to the statutory protection given to international and national sites and wildlife species that receive statutory protection in the explanatory texts to their proposals map. As such sites have statutory protection; plans should not include specific policies in respect of them.<sup>14</sup>
- NE3.3 Local planning authorities should include criteria-based policies in their local development frameworks against which to judge proposals for development on, or affecting:
- (i) sites of regional and local biodiversity and geodiversity interest, including Local Nature Reserves and Local Sites including Regionally Important Geological Sites
  - (ii) landscapes outside nationally designated landscape areas that are particularly highly valued locally, based on an assessment of landscape character, sensitivity and capacity. The policies should provide sufficient protection for these areas of landscape while not unduly restricting acceptable, sustainable development and economic activity. Local planning authorities should rigorously consider the justification for retaining existing local landscape designations, and they should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection.

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<sup>14</sup> Guidance on the statutory obligations relating to biodiversity and their impact within the planning system is contained in the joint ODPM Circular 06/2005 and Defra Circular 01/2005 (under revision).

#### **Policy NE4: Local planning approach for green infrastructure**

- NE4.1 Local development frameworks should set out a strategic approach for the creation, protection and management of networks of green infrastructure. In doing so, local planning authorities should build on work undertaken at the regional and sub-regional level. Policies should:
- (i) provide for green infrastructure, particularly in locations where it will assist in reducing the impacts of climate change by providing flood water storage areas, sustainable drainage systems, urban cooling and local access to shady outdoor space
  - (ii) avoid development being located in areas which result in the fragmentation or isolation of natural habitats
  - (iii) identify opportunities to enhance green infrastructure and the natural habitats within it, by retaining, enhancing or creating green corridors linking rural and urban fringe areas and urban green spaces; and
  - (iii) identify opportunities to enhance the functions urban green spaces can perform.

#### **Policy NE5: Local planning approach to open space, sport, recreation and play**

- NE5.1 Local planning authorities should provide sufficient high quality, multifunctional open space, sports and recreational facilities, and space suitable for play to meet the needs of local communities. This should take account of the differing needs of those living, working in and visiting the area. This includes areas of open space that provide a community resource and can be used for informal or formal events such as religious and cultural festivals, agricultural shows and travelling fairs. Local planning authorities should also identify priorities for protection, investment, rationalisation and reallocation for different types of open space, and sport, recreation and play facilities.
- NE5.2 Local planning authorities should include local standards in their local development frameworks for the quantity, quality and accessibility for open space, and facilities for sport, recreation and play.
- NE5.3 Where deficiencies in open space, or land and facilities for sport, recreation and play have been identified, local planning authorities should identify opportunities to enhance existing areas or facilities, or to create new ones.
- NE5.4 Local planning authorities should identify opportunities for the co-location of facilities, so that different types of open space and land and facilities for sport and recreation, can be located next to each other and also in proximity to other community facilities for education and health.

NE5.5 In rural areas, local planning authorities should plan to locate sports and recreational facilities in, or on the edge of, country towns if they are likely to attract significant numbers of participants or spectators. Smaller scale facilities intended to meet the needs of local communities should be located in, or adjacent to, the rural settlements they will serve.

#### **Policy NE6: Local planning approach to recreational rights of way**

NE6.1 Rights of way, National Trails and Open Access Land should be protected and enhanced. Where appropriate, local development frameworks should identify where new or improved links to rights of way should be provided for walkers, cyclists and horse-riders. In doing so, they should have regard to the local rights of way improvement plans prepared by the Highways Authority.

#### **Policy NE7: Local planning approach to the undeveloped coast and coastal access**

NE7.1 Local planning authorities should maintain the natural character of the undeveloped coast, protecting and enhancing its distinctive landscapes, cultural, biodiversity and geodiversity interest. They should also seek to improve opportunities for public access and enjoyment of the coast. Particular attention should be given to areas defined as heritage coast. Policies should be consistent with their objectives, special qualities and management strategies.

NE7.2 When considering suitable locations for development, local planning authorities should ensure, as far as reasonably practicable, that access to the coast and the integrity of coastal rights of way and National Trails is not constrained. Account should be taken of the likely impacts of climate and coastal change.

### **DEVELOPMENT MANAGEMENT POLICIES**

#### **Policy NE8: Policy principles guiding the determination of applications in relation to the natural environment**

NE8.1 Local planning authorities should aim to avoid harm to the natural environment through development. Where granting planning permission would result in significant harm to biodiversity or geodiversity interests, local planning authorities should be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where harm cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. Local authorities should use conditions or planning obligations to ensure that mitigation or compensation measures take place.

If significant harm to biodiversity cannot be adequately mitigated against, or compensated for, permission should be refused. In considering effects on landscape, local planning authorities should aim to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate, having regard to siting, operational and other relevant constraints.

- NE8.2 Local planning authorities should have due regard to the likely impact of development on habitats and species which receive statutory protection.<sup>15</sup>
- NE8.3 Planning permission should be refused for development within, or outside, a Site of Special Scientific Interest (SSSI), which is likely to have an adverse effect on the SSSI (either individually or in combination with other developments) unless the benefits of the development at that site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national networks of SSSIs. Local planning authorities should use planning obligations or conditions to mitigate the harmful aspects of the development, and where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.
- NE8.4 Planning permission should be refused for development that would result in the loss or deterioration of species and habitats of principal importance, ancient woodland or aged or 'veteran'<sup>16</sup> trees found outside ancient woodland, unless the need for, and benefits of, the development in that location outweigh their loss. Local planning authorities should consider the retention of veteran trees and other trees of amenity value as part of development proposals, and where appropriate, use tree preservation orders to protect them in the longer term.
- NE8.5 Nationally designated areas, comprising National Parks, the Broads and AONBs, have the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of these designated areas should be given great weight in planning policies and decisions. In National Parks and the Broads, their wildlife and cultural heritage should also be given great weight, whilst in AONBs they are important considerations. Planning permission for major developments should be refused except in exceptional circumstances. Major development proposals should be demonstrated to be in the public interest and subject to the most rigorous examination. Consideration of such applications should include an assessment of:
- (i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy

<sup>15</sup> Guidance is contained in Circular 06/2005 (under revision).

<sup>16</sup> A veteran tree is defined as 'a tree which, because of its great age, size or condition is of exceptional value culturally, in the landscape or for wildlife'.

- (ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
  - (iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- NE8.6 Planning permissions granted for major developments in nationally designated areas should be carried out to high environmental standards through the use of conditions where necessary.
- NE8.7 Local planning authorities should maximise opportunities for building-in beneficial biodiversity or geodiversity features in and around developments, as part of good design, using planning obligations where appropriate. Development proposals on previously developed land which has significant biodiversity, geodiversity or landscape interest of recognised local importance, or which provides opportunities for public access, should aim to retain this interest or access and incorporate it into any development of the site.
- NE8.8 Development proposals where the principal aim is to conserve or enhance biodiversity and geodiversity should be treated favourably.
- NE8.9 When considering applications involving significant areas of agricultural land, local planning authorities should take account of the presence of best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) alongside other sustainability considerations. Where significant development of agricultural land is unavoidable, local planning authorities should seek to develop areas of poorer quality land (grades 3b, 4 and 5) in preference to that of a higher quality, except where this would be inconsistent with other sustainability considerations. Little weight should be given to the loss of agricultural land in grades 3b, 4 and 5, except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.

**Policy NE9: Policy principles relating to the maintenance of an adequate supply of open space, green infrastructure, sports, recreational and play facilities**

- NE9.1 Planning permission should be refused for proposals which would result in the loss of existing areas of open space or land and buildings used for sport, recreation or play, unless the assessment of open space (NE1.3) has clearly shown that the land or buildings are surplus to requirements or there are wider public benefits from the development which outweigh the harm. For open space to be considered 'surplus to requirements', consideration should be given to all the functions that the open space can perform.

- NE9.2 Where a development would result in an adverse impact on green infrastructure, local planning authorities should consider imposing conditions or planning obligations to mitigate any harmful aspects of development and should ensure the functioning and connectivity of the green infrastructure network is maintained. Where development would cause significant harm to the functioning of green infrastructure networks, particularly in relation to reducing the impacts of climate change, and that harm cannot be mitigated, planning permission should be refused.
- NE9.3 When considering applications for development on or next to open space or green infrastructure, local planning authorities should consider favourably proposals that would remedy identified deficiencies in particular types of open space, green infrastructure or sports, recreational or play facilities, for example, by securing part of the development site for the type of use that is in deficit; or where the site could be exchanged for another which is at least as good in terms of size, usefulness, attractiveness, quality and accessibility. Where appropriate, local planning authorities should use planning obligations or conditions to ensure that the new facilities are adequately maintained and managed.
- NE9.4 Local planning authorities should:
- (i) avoid any erosion of recreational function and maintain or enhance the character of open spaces
  - (ii) ensure that open spaces do not suffer from increased overlooking, traffic flows or other encroachment, particularly those areas formally identified as urban 'Quiet Areas'
  - (iii) protect and enhance those parts of the rights of way network that might benefit open space.

**Policy NE10: Policy principles guiding the determination of applications affecting playing fields<sup>17</sup>**

- NE10.1 Where it cannot be demonstrated through an up-to-date assessment of need in accordance with policy NE1.3 that playing fields are surplus to requirements, planning permission to develop on them should be refused unless:
- (i) the proposed development is ancillary to the use of the site as a playing field (e.g. new changing rooms) and does not adversely affect the quantity or quality of pitches and their use
  - (ii) the proposed development only affects land which is incapable of forming a playing pitch (or part of one)
  - (iii) the playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity and quality and in a suitable location; or
  - (iv) the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh the loss of the playing field.

**Policy NE11: The consideration of applications for floodlighting for sports and recreational facilities**

- NE11.1 When determining applications for sports and recreational facilities that include floodlighting, local planning authorities should consider:
- (i) the benefits to the health and wellbeing of those participating in sport and recreation
  - (ii) the increased provision of sport and recreation in an area which would result from the extended hours of use of the facilities
  - (iii) the impact on local amenity, biodiversity, and where appropriate, the openness of the Green Belt or the character of the countryside; and
  - (iv) whether conditions could be put in place to control the use of floodlights to an acceptable level.

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<sup>17</sup> As defined in Statutory Instrument 1996 No.1817 as amended by SI 2009 No. 453

**Policy NE12: Proposals for sport and recreation requiring natural features and water**

- NE12.1 When considering applications linked to activities that are based on particular natural features (e.g. climbing, potholing) and water, local planning authorities should consider:
- (i) the impact of the sports and recreational activities on the natural features, the water resource or water quality
  - (ii) whether visual amenity, heritage, and biodiversity value will be protected; and
  - (iii) any conflicts between the sports and recreational activities and other interests or users.

**Policy NE13: Sport and recreation provision in nationally designated areas**

- NE13.1 National Park Authorities should work with other local authorities and with sports and recreation bodies with a view to securing new sports and recreational facilities in appropriate locations within National Parks.
- NE13.2 When considering applications for new sports and recreational facilities in National Parks and AONBs, local planning authorities should consider the benefits of the application and the impacts on:
- (i) residents or other recreational users. Noisy or other intrusive activities which have an unacceptable impact should be refused; and
  - (ii) the natural beauty and character of the landscape, and the needs of biodiversity, agriculture, forestry and other uses.
- NE13.3 Planning permission for development for temporary or permanent sporting and recreational activities in or near a Site of Special Scientific Interest (SSSI) should only be granted if the permission is subject to conditions that will prevent damaging impacts on the SSSI or if material considerations are sufficient to override biodiversity or geodiversity impacts.

**Policy NE14: Proposals for major sports development and mixed use sport and recreational facilities**

- NE14.1 Major sports developments (including stadia) which attract large numbers of visitors should only be granted where they are located in areas with good access to public transport.
- NE14.2 Sporting and recreational facilities comprising significant elements of entertainment, retail and leisure uses should only be granted permission where they comply with the town centre policies set out in PPS4.

## ANNEX A: DEFINITIONS

For the purposes of this PPS, the following definitions are used:

- ‘Natural environment’ refers to biodiversity, geodiversity and soil, and landscape, where:
  - Biodiversity is the variety of life in all its forms.<sup>18</sup>
  - Geodiversity is the variety of geological (rocks, minerals, fossils), geomorphological (land form, processes) and soil features. It includes their assemblages, relationships, properties, interpretations and systems; and
  - Landscape is defined as in the European Landscape Convention as an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.
- ‘Green infrastructure’ is a strategic network of multi-functional green space, both new and existing, both rural and urban, which supports natural and ecological processes and is integral to the health and quality of life in sustainable communities. It delivers a broad range of functions and provides vital socio-economic and cultural benefits which underpin individual and community health and wellbeing. These functions include: conserving and enhancing the natural environment; providing wildlife corridors; reducing noise and air pollution; and helping communities to adapt to a changing climate through water and carbon management. In urban areas, functions include providing routes (e.g. footpaths and cycleways) which link areas of open space within settlements; providing sustainable drainage, flood storage and urban cooling; and providing a wide range of opportunities for engagement and active citizenship, relaxation and quiet contemplation, sport, recreation and children’s play.
- ‘Open space’ includes all open areas of public value, whether land-based such as streets, civic squares, parks, public gardens, playing fields or other open land for public use or water based such as rivers, canals, lakes and reservoirs. Much of this will also contribute to the green infrastructure networks in urban areas. A more detailed list of land uses is provided in Annex B.
- ‘Sport, recreation and play’ refer to both land and built facilities for supervised and unsupervised physical and organised activity and areas for the passive enjoyment of open space. For the purposes of the assessments of need and audits of existing built facilities for sport, recreation and play, local planning authorities should use a typology which includes swimming pools, indoor sports halls and leisure centres, indoor bowls centres, indoor tennis centres, ice rinks, play areas, adventure playgrounds, community centres, and village halls.

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<sup>18</sup> UK Biodiversity Action Plan

## ANNEX B: OPEN SPACE AND GREEN INFRASTRUCTURE TYPOLOGIES

The following typology illustrates the broad range of open spaces that may be of public value. Most have the potential to make a contribution to green infrastructure and should be included in both the open space and, where different, green infrastructure assessments of needs and audits of provision. Green infrastructure can also include features such as green roofs and green walls.

- (1) parks and gardens – including urban parks, country parks and formal gardens
- (2) natural and semi-natural urban green spaces – including woodlands, urban forestry, scrub, grasslands (e.g. downlands, and meadows), common land, wetlands, open and running water, wastelands and derelict open land and rock areas (e.g. cliffs, quarries and pits)
- (3) green corridors – including river and canal banks, cycleways, and rights of way
- (4) outdoor sports facilities (with natural or artificial surfaces and either publicly or privately owned) – including tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields, and other outdoor sports areas
- (5) amenity greenspace (most commonly, but not exclusively, in housing areas) – including informal recreation spaces, green spaces in and around housing, domestic gardens and town or village greens
- (6) provision for children and teenagers – including play areas, adventure playgrounds, skateboard parks, outdoor basketball hoops, and other more informal areas (e.g. ‘hanging out’ areas, teenage shelters)
- (7) allotments, community gardens, city (urban) farms and land used for permaculture
- (8) cemeteries and churchyards
- (9) accessible countryside in urban fringe areas; and
- (10) civic spaces, including civic and market squares, and other hard-surfaced areas designed for pedestrians.

# PART 3: Consultation Questions

## SUMMARY OF QUESTIONS

1. Do you support the consolidation and streamlining of policies on the natural environment, green infrastructure, open space, sport, recreation and play into a single planning policy statement?
2. Does the proposed PPS address sufficiently all the issues that planners and others face in relation to protecting the natural environment, delivering green infrastructure and other forms of open and green spaces, and land and facilities for sport, recreation and play?
3. Do you agree with the requirement for local planning authorities to continue to produce, and keep up-to-date, open space strategies which are based on assessments of local need and audits of existing provision (NE1.3)?
4. We propose that local planning authorities should take a strategic approach to the delivery of green infrastructure (NE4), but not to produce and publish a formal strategy (although they can do so if they choose). Do you agree with this proposal?
5. Do you agree that the proposed policy NE4 will deliver the Government's objectives without imposing any significant new burdens?
6. The amended wording of planning policy relating to the floodlighting of sports and recreational facilities (NE11) makes it clear to local planning authorities that they should balance the impacts on amenity and biodiversity against the wider benefits to the community in terms of health and wellbeing and the additional provision of facilities. Do you agree with this proposal?
7. Do you agree that the proposed policy NE11 will deliver the Government's objectives without imposing any significant new burdens?
8. Do you agree with the conclusions of the consultation stage impact assessment?
9. Do you think that the policies in this proposed PPS will have different impacts, either positive or negative, on people because of their gender, race or disability? If so, how in your view should we respond? We particularly welcome the views of organisations and individuals with specific expertise in equality and diversity matters.
10. Do you have any additional comments to make on this proposed PPS?

### Questions and response form

We would particularly like your views on these questions, which are repeated in the form below. You can respond, either online at <https://ppsnheconsultation.communities.gov.uk>, or by using the Word version of this form, at [www.communities.gov.uk/publications/planningandbuilding/naturalenvironmentconsultation](http://www.communities.gov.uk/publications/planningandbuilding/naturalenvironmentconsultation).

<b>Consultation on a new Planning Policy Statement: Planning for a Natural and Healthy Environment – Questions and response form</b>	
Name:	
Respondent category:	Public (individuals not affiliated to any group) <input type="checkbox"/> Business (including business trade associations) <input type="checkbox"/> Charities, environment and community groups <input type="checkbox"/> Government bodies (regional planning bodies, local authorities, government agencies and non-departmental government bodies) <input type="checkbox"/> Professionals and academics (including representative bodies for professionals) <input type="checkbox"/>
<p>If this is not an individual response, which organisation do you represent?</p> <p>Who does the organisation represent?</p> <p>Please give a summary of the organisation's role</p> <p>If applicable, how have the views of members been assembled?</p>	
Address:	
E-mail address:	
Confidentiality:	<input type="checkbox"/> Please tick if you wish your responses to be treated as confidential and provide reasons for this request (see paragraphs 4 in 'The consultation process' section of the consultation document).

Questions on which we would particularly like your views:		
1. Do you support the consolidation and streamlining of policies on the natural environment, green infrastructure, open space, sport, recreation and play into a single planning policy statement?	Yes	
	No	
Comment:		
2. Does the proposed PPS address sufficiently all the issues that planners and others face in relation to protecting the natural environment, delivering green infrastructure and other forms of open and green spaces, and land and facilities for sport, recreation and play?	Yes	
	No	
Comment:		
3. Do you agree with the requirement for local planning authorities to continue to produce, and keep up-to-date, open space strategies which are based on assessments of local need and audits of existing provision (NE1.3)?	Yes	
	No	
Comment:		
4. We propose that local planning authorities should take a strategic approach to the delivery of green infrastructure (NE4), but not to produce and publish a formal strategy (although they can do so if they choose). Do you agree with this proposal?	Yes	
	No	
Comment:		

5. Do you agree that the proposed policy NE4 will deliver the Government's objectives without imposing any significant new burdens?	Yes	
	No	
Comment:		
6. The amended wording of planning policy relating to the floodlighting of sports and recreation facilities (NE11) makes it clear to local planning authorities that they should balance the impacts on amenity and biodiversity against the wider benefits to the community in terms of health and wellbeing and the additional provision of facilities. Do you agree with this proposal?	Yes	
	No	
Comment:		
7. Do you agree that the proposed policy NE11 will deliver the Government's objectives without imposing any significant new burdens?	Yes	
	No	
Comment:		
8. Do you agree with the conclusions of the consultation stage impact assessment?	Yes	
	No	
Comment:		

9. Do you think that the policies in this proposed PPS will have different impacts, either positive or negative, on people because of their gender, race or disability? If so, how in your view should we respond? We particularly welcome the views of organisations and individuals with specific expertise in equality and diversity matters.	Yes	
	No	
Comment:		
10. Do you have any additional comments to make on this proposed PPS?	Yes	
	No	
Comment:		

## PART 4: Consultation Stage Impact Assessment

Summary: Intervention & Options		
<b>Department /Agency:</b> Communities and Local Government	<b>Title:</b> Impact Assessment of Draft Planning Policy Statement: Planning for a Natural and Healthy Environment	
<b>Stage:</b> Consultation	<b>Version:</b>	<b>Date:</b> February 2010
<b>Related Publications:</b>		

**Available to view or download at:**

[www.communities.gov.uk/corporate/publications/consultations/](http://www.communities.gov.uk/corporate/publications/consultations/)

**Contact for enquiries:** Peter Greenfield

**Telephone:** 0303 444 1687

**What is the problem under consideration? Why is government intervention necessary?**

The Government in its 2009 strategy on quality of place (*World Class Places*) highlighted the important contribution that green infrastructure makes to high quality built environments and its role in adapting to, and reducing the adverse effects of, climate change. The planning system needs to ensure that strategic networks of green spaces are identified and protected from development, and where appropriate are enhanced, so that they can provide the wide range of functions which are important for communities and biodiversity. Government intervention is necessary, as the wider benefits to society of green infrastructure and open space in terms of its environmental and recreational functions are not usually valued in the price of land in the land market and therefore green infrastructure is likely to be undersupplied by private agents.

In addition, both the Barker and Killian Pretty reviews highlighted the volume and complexity of national planning policy, the costs that this complexity and the lack of clarity imposes on users of the planning system and the need for a more streamlined approach. Bringing together related policies from across the existing planning policy suite provides an opportunity to provide clear planning policies on green infrastructure, and allows the streamlining and consolidation of existing planning policy.

**What are the policy objectives and the intended effects?**

The Government's objectives are to reduce the complexity and volume of national planning policy, to encourage a strategic approach to the creation, management and protection of green infrastructure, and to ensure the health benefits of sports facilities are taken into account when deciding planning applications for floodlights. Overall the objective is to provide a clearer and more strategic national policy framework for the protection and enhancement of the natural environment, and the provision of sufficient areas of green infrastructure, open space, sport and recreation facilities to meet the needs of communities.

**What policy options have been considered? Please justify any preferred option.**

Three options have been considered:

**Option A:** A single, streamlined, and comprehensive national planning policy statement covering policies related to the natural environment, green infrastructure, open space, sport and recreation;

**Option B:** Maintain the current suite of national planning policy documents, streamlining them separately and producing an additional policy statement on green infrastructure;

**Option C:** The Do Nothing option is to maintain the current suite of planning policy documents and not meet the published commitment to produce policy on green infrastructure;

Option A is the Government's preferred option as it offers the most benefits in terms of achieving a strategic, integrated and fit for purpose planning framework for the natural environment, green infrastructure, open space, sport and recreation, while delivering the commitment to provide planning policy on green infrastructure.

**When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?**

Approximately two years after publication. In the interim it is anticipated that Annual Monitoring Reports will report on core output indicators, which include measures relevant to the implementation of the PPS, such as losses or additions to biodiversity habitat.

**Ministerial Sign-off** For Consultation Stage Impact Assessments:

***I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.***

Signed by the responsible Minister:

A handwritten signature in black ink, appearing to read 'J. Healy', with a horizontal line underneath.

**Date:** 9 February 2010

<b>Summary: Analysis &amp; Evidence</b>			
<b>Policy Option: A</b> [preferred option]		<b>Description: Implement a single, streamlined, comprehensive, national planning policy statement covering policies related to the natural environment, open space, sport and recreation</b>	
<b>COSTS</b>	<b>ANNUAL COSTS</b>		<b>Description and scale of key monetised costs</b> by 'main affected groups'
	<b>One-off</b> (Transition)	<b>Yrs</b>	
	<b>£</b>		Costs to local planning authorities (LPAs), responsible regional authorities and developers have not been monetised at this stage, although the intention has been to avoid additional costs. Consultees are asked to provide evidence on the possible scale of costs identified in the evidence base.
	<b>Average Annual Cost</b> (excluding one-off)		
	<b>£</b>		
		<b>Total Cost</b> (PV)	<b>£</b>
Other <b>key non-monetised costs</b> by 'main affected groups'			
Familiarisation costs for local planning authorities, regional authorities and businesses.			
<b>BENEFITS</b>	<b>ANNUAL BENEFITS</b>		<b>Description and scale of key monetised benefits</b> by 'main affected groups'
	<b>One-off</b>	<b>Yrs</b>	
	<b>£</b>		It has not been possible to monetise the overall benefits of the policy. This is due in part to the difficulty of separating the direct impact of planning policy from other policy interventions. The main groups affected will be local planning authorities and regional authorities; businesses; commercial developers and members of the general public.
	<b>Average Annual Benefit</b> (excluding one-off)		
	<b>£</b>		
		<b>Total Benefit</b> (PV)	<b>£</b>
Other <b>key non-monetised benefits</b> by 'main affected groups'			
There will be resource savings for local planning authorities and regional authorities as clearer streamlined policy enables better plan-making. Implementing a single, streamlined policy will minimise complexity and duplication, and offer the greatest benefits from streamlining. Businesses will benefit from improved clarity which leads to better applications and fewer delays in the process. The policy changes should lead to the better creation, management and protection of green infrastructure networks which will enhance the positive environmental benefits of such networks. Increasing the number of successful applications for sports facilities with floodlighting will bring health and wellbeing benefits to those using the facilities.			

<b>Key Assumptions/Sensitivities/Risks</b>					
In some locations, applications granted for floodlights may have costs related to noise or visual disturbance for those living in the vicinity though these impacts should be considered by the planning system.					
<b>Price Base Year</b>	<b>Time Period Years</b>	<b>Net Benefit Range (NPV) £</b>	<b>NET BENEFIT (NPV Best estimate) £</b>		
N/A	N/A				
What is the geographic coverage of the policy/option?			England		
On what date will the policy be implemented?			2010		
Which organisation(s) will enforce the policy?			RAs/LPAs		
What is the total annual cost of enforcement for these organisations?			N/A		
Does enforcement comply with Hampton principles?			N/A		
Will implementation go beyond minimum EU requirements?			N/A		
What is the value of the proposed offsetting measure per year?			£0		
What is the value of changes in greenhouse gas emissions?			£0		
Will the proposal have a significant impact on competition?			No		
Annual cost (£-£) per organisation (excluding one-off)		Micro	Small	Medium	Large
Are any of these organisations exempt?		N/A	N/A	N/A	N/A
<b>Impact on Admin Burdens Baseline</b> (2005 Prices) (Increase – Decrease)					
Increase of £		Decrease of £		<b>Net Impact £</b>	
Key:	<b>Annual costs and benefits: Constant Prices</b>			<b>(Net) Present Value</b>	

<b>Summary: Analysis &amp; Evidence</b>			
<b>Policy Option: B</b>		<b>Description: Maintain the current suite of national planning policy statements, streamline them separately and publish additional policy on green infrastructure</b>	
<b>COSTS</b>	<b>ANNUAL COSTS</b>		Description and scale of <b>key monetised costs</b> by 'main affected groups'  Costs to local planning authorities (LPAs), responsible regional authorities and developers have not been monetised at this stage.
	<b>One-off (Transition)</b>	<b>Yrs</b>	
	£		
	<b>Average Annual Cost</b> (excluding one-off)		
	£		<b>Total Cost (PV)</b>
Other <b>key non-monetised costs</b> by 'main affected groups'  Familiarisation costs for local planning authorities, regional planning bodies and businesses.			
<b>BENEFITS</b>	<b>ANNUAL BENEFITS</b>		Description and scale of <b>key monetised benefits</b> by 'main affected groups'  It has not been possible to monetise the overall benefits of the policy. This is due in part to the difficulty of separating the direct impact of planning policy from other policy interventions. The main groups affected will be local planning authorities and regional planning bodies; businesses; commercial developers and members of the general public.
	<b>One-off</b>	<b>Yrs</b>	
	£		
	<b>Average Annual Benefit</b> (excluding one-off)		
	£		<b>Total Benefit (PV)</b>
Other <b>key non-monetised benefits</b> by 'main affected groups'  There will be resource savings for local planning authorities and regional planning bodies as clearer streamlined policy enables better plan-making. These benefits will not be as great as those under Option A. Businesses will benefit from improved clarity which leads to better applications and fewer delays in the process. The policy changes should lead to the better creation, management and protection of green infrastructure networks which will enhance the positive environmental benefits of such networks. Increasing the number of successful applications for sports facilities with floodlighting will bring health and wellbeing benefits to those using the facilities.			

<b>Key Assumptions/Sensitivities/Risks</b>					
Policy will be implemented by local planning authorities and regional planning bodies.					
<b>Price Base Year</b>	<b>Time Period Years</b>	<b>Net Benefit Range (NPV) £</b>	<b>NET BENEFIT (NPV Best estimate) £</b>		
N/A	N/A				
What is the geographic coverage of the policy/option?			England		
On what date will the policy be implemented?			2010		
Which organisation(s) will enforce the policy?			RPBs/LPAs		
What is the total annual cost of enforcement for these organisations?			N/A		
Does enforcement comply with Hampton principles?			N/A		
Will implementation go beyond minimum EU requirements?			N/A		
What is the value of the proposed offsetting measure per year?			£0		
What is the value of changes in greenhouse gas emissions?			£0		
Will the proposal have a significant impact on competition?			No		
Annual cost (£-£) per organisation (excluding one-off)		Micro	Small	Medium	Large
Are any of these organisations exempt?		N/A	N/A	N/A	N/A
<b>Impact on Admin Burdens Baseline</b> (2005 Prices) (Increase – Decrease)					
Increase of £		Decrease of £		<b>Net Impact £</b>	
Key:	<b>Annual costs and benefits: Constant Prices</b>			<b>(Net) Present Value</b>	

## Evidence Base (for summary sheets)

### Background

1. In response to the *Barker Review of Land Use Planning*<sup>18</sup> which identified the complexity of national planning policy, the Government's white paper *Planning for a Sustainable Future* (May 2007)<sup>19</sup> made a number of commitments, including to review the national planning policy framework to achieve a more strategic, clear and focused framework, providing an improved context for plan making and decision taking at the local level.
2. Since publication of the planning white paper, the Killian Pretty Review<sup>20</sup> has considered afresh the impact of the complexity of the national planning framework on the planning application process. It specifically recommended that planning policy should be focused on the needs of the user, by organising it around the processes of plan making and decision taking, rather than around broad policy objectives.
3. In May 2009, the Government published *World Class Places*,<sup>21</sup> its strategy on quality of place. This explained the important contribution that 'green infrastructure', or strategic networks of green spaces, can make to the quality of built up areas, and the role it will play in the future in helping areas adapt to, and mitigate the effects of, climate change. A key commitment made in the strategy was therefore that CLG would publish new planning policy on the delivery of green infrastructure. As the strategy recognised, existing planning policy and guidance already provides the basic mechanisms for providing green infrastructure, not least through PPS 9 (Biodiversity and Geological Conservation) which sets out policies for the protection of important habitats and species and emphasises the important contribution that healthy functioning ecosystems make to a better quality of life and to people's sense of wellbeing and PPG17 (Planning for open space, sport and recreation) which contains policies for the provision of open and green spaces and highlights the vital functions that urban green spaces perform as areas for nature conservation and biodiversity as well as for sport, recreation and children's play. While these policies remain valid, and will continue to apply to open space generally, there is now a better understanding of the additional benefits which can be gained from taking a more strategic approach to the provision of green spaces so that they become part of a multifunctional network which provides a wide range of ecosystem services including urban cooling, sustainable urban drainage, and because of the improved connectivity, wildlife corridors (see for example *Green Infrastructure Guidance* (Natural England, 2009)).

<sup>18</sup> *Barker Review of Land Use Planning* (2006). Available from: [www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/barkerreviewplanning/](http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/barkerreviewplanning/)

<sup>19</sup> [www.communities.gov.uk/publications/planningandbuilding/planningsustainablefuture](http://www.communities.gov.uk/publications/planningandbuilding/planningsustainablefuture)

<sup>20</sup> *The Killian Pretty Review: Planning applications – A faster and more responsive system: Final Report* (November 2008) [www.communities.gov.uk/publications/planningandbuilding/killianprettyfinal](http://www.communities.gov.uk/publications/planningandbuilding/killianprettyfinal)

<sup>21</sup> *World Class Places: The Government's strategy for improving quality of place* (CLG, 2009). Available from: [www.communities.gov.uk/publications/planningandbuilding/worldclassplaces](http://www.communities.gov.uk/publications/planningandbuilding/worldclassplaces)

4. The Government is also taking the opportunity brought by the consolidation exercise to consider amending planning policy on the provision of floodlights for sports and recreational facilities. The existing wording in PPG17 states that in considering planning applications the local planning authority should protect amenity. While this remains an important consideration, it is also recognised that the use of floodlights can extend the time that outdoor facilities can be used, particularly in the winter, thereby increasing the level of provision of facilities and the health and wellbeing benefits they provide. The proposal is therefore to amend the wording of the existing policy to make it clearer that local planning authorities should consider and balance the impact on local residents against the wider benefits to the community, particularly those using the facilities.

#### **Rationale for intervention**

5. The complexity of the national planning policy framework as it currently stands imposes additional and unnecessary costs on those who use it. The Barker review identified additional costs stemming from the need to employ legal or other specialist expertise when planning development proposals. Additional complexity in the planning system is also likely to increase delays in the system. Through intervention, the Government intends to address these issues and move towards creating a more efficient and effective national planning system which allows a more positive and proactive approach to planning.
6. There is a need to ensure that open space and land and facilities for sport and recreation are protected from development unless there is a demonstrable surplus in the area. The same principle applies to green infrastructure, which if it is to function as intended, including its contribution to adapting to, and mitigating the adverse effects of, climate change, needs to be planned strategically. Government intervention is necessary, as the wider benefits to society of green infrastructure and open space in terms of its environmental and recreational functions are not usually valued in the price of land in the land market and therefore green infrastructure is likely to be undersupplied by private agents.
7. The Government's aims for planning are set out in Planning Policy Statements (PPS) and the older series of Planning Policy Guidance (PPG) notes, which planning authorities must have regard to when preparing development plans and in development control. Our preferred option for delivering the commitment to produce planning policy on green infrastructure and at the same time streamline and consolidate related planning policies is to bring together policies from the following existing PPSs and PPGs:<sup>22</sup>

<sup>22</sup> All PPSs and PPGs are available online at:  
[www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/](http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/)

- PPS9, published in August 2005, which sets out planning policies on the protection of biodiversity and geological conservation through the planning system. It is supported by *Planning for Biodiversity and Geological Conservation: A Guide to Good Practice*, published in March 2006.
- PPG17, published in July 2002, which sets out planning policies on open space, sport and recreation. It is supported by a companion guide *Assessing needs and opportunities: a companion guide to PPG17*, published in September 2002.
- PPS7, published in August 2004, which sets out planning policies on sustainable development in rural areas. It is proposed that the new PPS will incorporate the policies currently in PPG7 which deal with landscape protection, soil and agricultural land quality, and forestry.
- PPG20, published in October 1992, covers planning policy for coastal areas. The proposed PPS will incorporate policies dealing with coastal access, heritage coasts and the undeveloped coast policies currently set out in PPG20.

## Objectives

8. The key objective of streamlining planning policy in this area is to provide a clear and positive policy framework within which the appropriate level of protection and enhancement of the natural environment, green infrastructure, open space, sport and recreation can be delivered. This reflects the detailed objectives of the white paper commitment to streamline policy to ensure that:
  - decision making is devolved to the local level, where appropriate
  - the evidence base for plan-making and decision taking is proportionate
  - planning provides a positive framework
  - planning is only used where it is an appropriate lever for delivery and
  - policy is structured with users in mind, reflecting a Killian Pretty recommendation
9. The Government's objectives for the natural environment, open space, recreation and sport are set out on pages 14 and 15 of the consultation document.

## Overview of options

10. Three options have been considered:

**A: Producing a single, streamlined, comprehensive national planning policy statement covering policies related to the natural environment, green infrastructure, open space, sport and recreation.**

This new planning policy statement would provide clearer references to planning for green infrastructure whilst streamlining and consolidating the following:

- PPS9 Biodiversity and Geological Conservation
- PPG17 Planning for Open Space, Sport and Recreation
- the landscape protection, soil and agricultural land quality, and forestry policies of PPS7 (Sustainable Development in Rural Areas); and
- the coastal access, heritage coast and undeveloped coast policies of PPG20 (Coastal planning).

**B: Maintaining the current suite of national planning policy documents, streamlining them separately, and providing additional policy on green infrastructure.**

**C: Do nothing option. Maintaining the current suite of planning policy documents, but not streamlining at this time, and not delivering on the Government's commitment on green infrastructure.**

11. Option A is the Government's preferred option as it offers the most benefits in terms of achieving a strategic, integrated and fit-for-purpose planning framework for the natural environment, green infrastructure, open space, sport and recreation. It will also ensure that users of the planning system only have to familiarise themselves with one new PPS and should therefore mean there is less duplication of related policies on open space and green infrastructure in different policy statements and lower familiarisation costs.

## Detailed proposal

### The streamlining process

12. Streamlining is the process of separating policy from guidance, organising policy material around the key planning processes (plan making and decision taking), and removing policy duplication. The aim is a strategic and user-friendly planning framework.

### Policy changes

13. Option A, our preferred option for the PPS, sets out planning policies on the natural environment, and the habitats and species it supports, green infrastructure, open space and land and related facilities for sport, recreation and play. In its final form, the PPS would replace Planning Policy Statement 7: *Sustainable development in rural areas* (PPS7) – in so far as it relates to landscape protection (paragraphs 21 and 22), soil and agricultural land quality (paragraphs 28 and 29) and forestry (paragraph 33); Planning Policy Statement 9: *Biodiversity and geological conservation* (PPS9); Planning Policy Guidance Note 17: *Planning for open space, sport and recreation* (PPG17); and Planning Policy Guidance Note 20: *Coastal planning* in so far as it relates to coastal access, heritage coast and the undeveloped coast (paragraphs 2.9, 2.10 and 3.9).
14. However, actual policy changes proposed in our preferred option for the PPS relate only to (a) *the provision of green infrastructure* and (b) *the floodlighting of sports and recreational facilities*.
15. With regard to *green infrastructure*, our preferred option seeks to deliver safe and attractive places to live, which support the promotion of health and wellbeing, and reduce social inequalities by ensuring adequate provision of high quality green infrastructure which is safely and easily accessible by walking, cycling or public transport. ‘Green infrastructure’ is a strategic network of multi-functional green space, both new and existing, both rural and urban, which supports natural and ecological processes and is integral to the health and quality of life in sustainable communities. The specific policy proposals are:
  - Regional Strategies will identify opportunities to develop strategic networks of green infrastructure (new policy NE2.1)
  - Local planning authorities will assess the existing provision of green infrastructure and the needs of their community alongside the open space assessment and audit already required by PPG17 (policy NE1.3)
  - Local planning authorities will set out a strategic approach in their development plan for the creation, protection and management of networks of green infrastructure (policy NE4); and
  - Local planning authorities to consider imposing conditions or planning obligations on proposed developments which would result in an adverse impact on green infrastructure, in order to mitigate any harmful aspects of development and ensure the functioning and connectivity of the green infrastructure network is maintained. Proposed development which would cause significant harm to the functioning of green infrastructure networks, particularly those functions that help to reduce the impacts of climate change, and which cannot be mitigated, should be refused planning permission (policy NE9.2). This is a variation of the existing PPG17 policy on open space which

states that planning permission should be refused for proposals which would result in the loss of existing areas of open space or land and buildings used for sport, recreation or play, unless the assessment of open space has clearly shown that the land or buildings are surplus to requirements.

16. Regarding the proposed planning policy on the *floodlighting of sports and recreational facilities*, our preferred option for the PPS states that, when considering applications that include floodlighting, local planning authorities should, *in addition to the existing requirement in PPG17 to protect local amenity, and where appropriate, consider the impact on the openness of the Green Belt or the character of the countryside*, also consider the benefits to the health and wellbeing of those participating in sport and recreation, and the impact on the provision of sport and recreational facilities in an area resulting from their extended use.

#### Sectors and groups affected

17. The proposed policies potentially have an impact on the following:
- local planning authorities and regional planning authorities
  - businesses of all sizes putting forward development proposals
  - sports clubs seeking to improve their facilities; and
  - the general public, as potentially those who might be affected by the results of development proposals concerning open space, sport, recreation and the natural environment.

#### Cost benefit analysis

18. This analysis initially considers the costs and benefits of streamlining under the different options, and then considers the impacts of the minor policy changes that are being made at the same time as policy is being consolidated into one PPS.

#### Streamlining

19. It has not been possible to robustly quantify the benefits and costs of streamlining policy given the inherent difficulties of assessing the impact of changes in the way that policy is structured and presented. However, analysis for the Killian Pretty Review<sup>23</sup> provides some context for what the benefits of streamlining could look like if they were implemented across the planning system as a whole.

<sup>23</sup> *The Killian Pretty Review: Planning applications – A faster and more responsive system: Final Report* (November 2008) [www.communities.gov.uk/publications/planningandbuilding/killianprettyfinal](http://www.communities.gov.uk/publications/planningandbuilding/killianprettyfinal)

20. The Killian Pretty review considered that if Government overhauled and simplified the national policy framework and the secondary legislation for the process of planning applications, this would enable faster and more effective handling of applications by reducing the inherent complexity in the process. They estimated that this complexity costs applicants a total of £750m per year in consultants and legal fees, and that a 10 per cent reduction would save applicants £75m per year and local authorities £30m per year.

## **OPTION A: A SINGLE, STREAMLINED, COMPREHENSIVE NATIONAL PLANNING POLICY STATEMENT COVERING POLICIES RELATED TO THE NATURAL ENVIRONMENT, GREEN INFRASTRUCTURE, OPEN SPACE, SPORT AND RECREATION**

### **Benefits**

Practitioners are clear about what is expected of them, and on which matters they have discretion

21. Separating policy from guidance enables policy documents to be short and focussed on policy requirements only. Where appropriate, Government will provide practical guidance to assist in the implementation of the policy.
22. The benefit for users is that the outcomes they should be working towards are clear, as are the policy principles that they are expected to follow to deliver these objectives. As guidance is set out separately from policy, this indicates that there is discretion in the way in which users (primarily local authorities) can deliver the outcomes and policy principles.
23. Being clear where there is discretion and flexibility encourages local authorities to consider what is best for their local circumstances, by using or adapting the guidance as they see fit, or developing their own approach.

Resource and time savings

24. Restructuring the policy documents with key users in mind has an important 'reading and complying benefit' for many users – they don't have to read the whole policy document to ensure they have not missed a crucial instruction, but can dip in and out of the document as necessary. This translates into resource savings for local authorities and applicants for planning permission, speedier plans and decisions, and better applications for development, which have a greater chance of success (and hence lead to fewer planning appeals).

Minimises duplication and complexity

25. Bringing together biodiversity, geodiversity, soil, landscape, forestry, open space, sport and recreation (including access) policies into a single document offers the greatest streamlining savings and is most useable for practitioners as it cuts out duplication and minimises complexity for users. Instead of looking at several policy documents, they will only need to look at one.

#### Encourages strategic thinking

26. Consolidating the policy in this area into a single document enables Government to set out a clear, integrated and strategic approach for planning for the natural environment, green infrastructure, open space, and sport and recreation. This should help regional and local planning authorities to be more strategic in their approach, by better understanding the interrelationships and interdependencies between these elements in their areas and subsequently making more informed judgements when developing and choosing policy options to ensure an appropriate level of protection and provision over the long term. A linked benefit will be greater economies of scale and operational savings derived from developing shared evidence bases and more joined up approaches to policy making.

#### Benefits to the environment

27. Existing national planning policy, as set out in PPG17, provides the planning framework for the provision and protection of open spaces, and sports and recreational facilities. It promotes a strategic, evidence-based approach to provision of quality green spaces by requiring local authorities to audit existing facilities and make rigorous assessments of the existing and future needs of their communities for open space, sports and recreational facilities. These audits and assessments should be used by planning authorities to set robust local standards of provision for inclusion in their development plans. Existing benefits from planning for open space will include improved access to good quality sport and recreational facilities which in turn will promote social inclusion, health and wellbeing.
28. While these policies remain valid, and will continue to apply to open space generally, there is now a better understanding of the additional benefits which can be gained from taking a more strategic approach to the provision of green spaces so that they become part of a multifunctional network which provides a wide range of ecosystem services. As the Natural England *Green Infrastructure Guidance* states, the difference between planning for open space and planning for green infrastructure is subtle, as green spaces do form part of a wider green infrastructure network. However, it also identifies the ways in which planning for green infrastructure can go beyond the requirements of planning for open spaces in considering the bigger picture which takes into account “landscape context, hinterland and setting, as well as strategic links of sub regional scale”, and private as well as public assets.<sup>24</sup>

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<sup>24</sup> <http://naturalengland.etraderstores.com/NaturalEnglandShop/Product.aspx?ProductID=cda68051-1381-452f-8e5b-8d7297783bbd>

29. The proposed policy will stress the need for local planning authorities to look more strategically at the functions green space can perform. These functions include: conserving and enhancing the natural environment; providing wildlife corridors; reducing noise and air pollution; and helping communities to adapt to a changing climate through water and carbon management. In urban areas, functions include: providing routes (e.g. footpaths and cycleways) which link areas of open space within settlements; providing sustainable drainage, flood storage and urban cooling; and providing a wide range of opportunities for engagement and active citizenship, relaxation and quiet contemplation, sport, recreation and children's play.
30. Encouraging local planning authorities to take a more strategic and 'big picture' approach to green infrastructure should give them a better understanding of the existing green infrastructure network and its functions in their area and should contribute to better decisions being made about the protection and management of green infrastructure. It should also lead to opportunities to enhance green infrastructure, for example through the creation of green corridors linking natural habitats or urban green spaces, and, where a need is identified, the designation of additional land in plans to contribute to green infrastructure networks.
31. This will contribute to the positive environmental benefits associated with green infrastructure. Green infrastructure is able to reduce impacts of climate change by providing flood water storage areas, sustainable drainage systems, urban cooling and local access to shady outdoor space. Research on adapting cities to climate change<sup>25</sup> indicates that adding 10 per cent green cover to areas with little green, such as the town centre and high density residential areas keeps maximum surface temperatures at or below 1961-1990 baseline temperatures up to but not including the 2080s high emissions scenarios.

#### Benefits to sport and recreation

32. This proposed amendment to the policy on the floodlighting of sports and recreational facilities should increase the number of successful planning applications that include floodlighting and reduce the number that go to appeal. This will make it easier for sports and recreation clubs to improve the quality and usage of their facilities, and bring health and wellbeing benefits to those using them. CLG and Sport England have already published guidance to sports clubs on how to navigate the planning system<sup>26</sup> and it is proposed that further practice guidance is produced to assist local authorities and sports clubs to identify appropriate lighting systems and planning controls to reduce any adverse effects of floodlighting to an acceptable level.

<sup>25</sup> Gill, S.E., Handley, J.F, Ennos, A.R. and Pauleit, S. (2007). Adapting Cities for Climate Change: The Role of Green Infrastructure. *Built Environment*, 33(1), pp. 115-133.

<sup>26</sup> [www.sportengland.org/facilities\\_planning/making\\_a\\_planning\\_application.aspx](http://www.sportengland.org/facilities_planning/making_a_planning_application.aspx)

## Costs

### Costs for users of the planning system and local authorities

33. We consider overall that the benefits of streamlining the policy should outweigh any initial costs. Under Option A, there are likely to be initial familiarisation costs for users of the policy but we believe these will be offset by savings in resources and time derived from presenting the Government's policies for the natural environment, green infrastructure, open space, sport and recreation in an integrated, streamlined way. Reflecting the Killian Pretty analysis in paragraph 20 above, the streamlining changes will also contribute to less complexity in planning policy with the associated benefits this will bring for all users of the planning system.
34. Local planning authorities will have discretion about how to deliver green infrastructure. They could for example, build on and adapt the open space strategies that they are already required to produce through existing PPG17 policies, or use other delivery mechanisms. It is intended that practice guidance will assist in identifying suitable approaches and thus help to minimise costs. Our preferred option will not require local planning authorities to gather new evidence. It is not anticipated that it will create any new burdens. However, it will stress the need for them to look more strategically at the functions green space can perform. **Consultees are asked for their views on the impact of the proposed policy changes on local authorities, and for any evidence they have that would help us to assess this.**

### Wider costs

35. In relation to the proposed planning policy on the floodlighting of sports and recreational facilities it is recognised that some locations will remain unsuitable for floodlighting because the adverse impacts on local amenity or biodiversity cannot be avoided or mitigated to an acceptable level. Where the policy is not applied appropriately this may lead to additional costs on those living in the vicinity of proposals granted. However, it is also considered that with modern floodlighting technology and careful controls on when lights can be used (through the use of planning conditions), there will be many more cases than in the past where the impact can be reduced to an acceptable level. **Consultees are asked for their views on the impact of the proposal relating to floodlighting, and for any evidence they have that would help us to assess this.**
36. The proposed policies on green infrastructure may lead in some local authority areas to the designation of land for green infrastructure which would have otherwise been developed in other ways. There will be an opportunity cost associated with not using that land for alternative uses which may have other benefits, for example through increased housing supply. The policy may also lead to development proposals being turned down if they would cause significant harm to the functioning of green infrastructure networks with the associated loss of the benefits that development would bring.

## **OPTION B: MAINTAINING THE CURRENT SUITE OF NATIONAL PLANNING POLICY DOCUMENTS, STREAMLINING THEM SEPARATELY AND PROVIDING ADDITIONAL POLICIES ON GREEN INFRASTRUCTURE**

### **Benefits**

#### Streamlining benefits

37. Option B would also generate many of the streamlining benefits identified under Option A. It would not have all the benefits of Option A as biodiversity, green infrastructure and open space policies would remain in separate policy documents, which would discourage strategic thinking and not reduce duplication. However, practitioners would be clear about what is expected of them, and where they were able to use their discretion, and the more user-friendly documents would lead to resource savings and better quality planning applications.

#### Familiarity

38. By keeping existing policy documents separate and streamlining them individually, Option B would retain the framework with which users are familiar.

### **Costs**

39. There are likely to be some familiarisation costs for local authorities, regions, business and commercial developers using the streamlined documents. Under Option B users would need to familiarise themselves with a number of revised documents rather than the one streamlined PPS. The savings in compliance costs through better quality applications (and greater efficiency in the decision-making process) and plan making would also not be as great as those achieved under Option A.

## **OPTION C: DO NOTHING OPTION, MAINTAINING THE CURRENT SUITE OF PLANNING POLICY DOCUMENTS AND NOT PRODUCING POLICY ON GREEN INFRASTRUCTURE**

### **Benefits**

40. The benefit of not streamlining is that it retains a framework with which users are familiar and therefore avoids familiarisation costs that are likely to be incurred under Options A and B.

### **Costs**

41. Option C does not impose additional costs although continuing to pursue the status quo foregoes the benefits of moving to a streamlined policy framework, in particular the reduction in complexity and the attendant cost savings. The drivers for streamlining policy relating to planning for the natural environment, green infrastructure, open space, sport and recreation (as discussed above) are compelling, and not streamlining policy now would be an opportunity missed.

## SUMMARY OF PREFERRED OPTION

42. Option A is likely to generate some familiarisation costs, but these are expected to be quickly offset by compliance cost savings. Although Option B retains the framework with which users are familiar, there would be greater costs associated with becoming familiar with a number of newly streamlined documents rather than the one streamlined PPS. The benefits from streamlining are not as great as there would be no reduction in duplication across the policies or benefit from the strategic framework the policy would provide. Option C is not considered favourable as it will not generate any of the benefits of streamlining outlined above.
43. Overall, Option A is our preferred option as it offers greater potential benefits than either of the other options and any familiarisation costs will be offset quickly by such savings.
44. **Evidence is welcomed from consultees on the benefits and costs set out above in respect to streamlining policy, Options A and B.**

### Overall costs and benefits

45. Streamlining planning policy may impose initial familiarisation costs but these should be outweighed by resource and time savings for users of the policy, the benefits of a reduction in duplication and complexity, and the clarity that the revised policy brings for practitioners.
46. New policies will encourage a strategic approach which supports the creation, management and protection of better networks of green infrastructure and build on the environmental benefits of existing green infrastructure. While there will be 'new' policies on green infrastructure, these are effectively provided for through the bringing together of existing policies on the protection and enhancement of natural habitats (PPS9) and open and green spaces (PPG17).
47. The proposed planning policy on the floodlighting of sports and recreational facilities would have potential benefits for the health and wellbeing of those making use of the increased provision of sport and recreation in an area resulting from the potential to extend the usage of facilities. However, it is possible that in some locations there would be a loss in amenity for those living in the vicinity if the impacts of additional floodlighting are not properly considered as part of the planning process.

## **SPECIFIC IMPACT TESTS (OPTION A)**

The following section focuses upon the specific impacts of the preferred option (Option A).

### **Small firms impact test**

Option A should offer benefits for small firms, and potentially these would be proportionately greater than for larger firms. A streamlined and well organised policy document will mean that policy expectations are easier to understand and comply with, so that applicants will submit better planning applications. This benefits small firms in particular, which are more likely to submit planning applications themselves than larger firms (who are more likely to employ consultants, or have in-house expertise).

Option B would also generate many of the benefits for small firms identified under Option A. It would not have all the benefits of Option A given that there would still be some necessary duplication as natural environment, open space, sport and recreation and related policy would remain in separate policy documents.

Option C would forego the benefits for small firms identified under Options A and B.

### **Competition assessment**

Option A will have no impact on competition.

### **Legal aid**

Option A will have no impact.

### **Sustainable development, carbon assessment, other environment**

Option A will minimise vulnerability of places, people and wildlife to the impacts of climate change and contribute to effective climate change adaptation measures by requiring local planning authorities to maintain, create and improve networks of green infrastructure within both urban and rural areas.

### **Health impact assessment**

Option A should have positive impacts on health. Green infrastructure, and particularly trees, can significantly reduce the temperature in built up areas. It can also create locally accessible shady areas. There is evidence that the higher night time temperatures experienced in urban areas due to heat island effects lead to increased mortality.<sup>27</sup> There are also other health impacts, some of which may be serious such as heat stroke, physiological disruption or organ damage.

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<sup>27</sup> *London's Urban Heat Island: A Summary for Decision Makers* (GLA, 2006) available from: [www.london.gov.uk/mayor/environment/climate-change/docs/UHI\\_summary\\_report.pdf](http://www.london.gov.uk/mayor/environment/climate-change/docs/UHI_summary_report.pdf)

Green infrastructure can include areas for flood water storage, and by providing sustainable drainage can reduce the risk and severity of flooding, which can have health benefits for those who would otherwise have been affected.

Amending the floodlighting policy should also bring health benefits to those able to make greater use of sports and recreation facilities, particularly on winter evenings. The overall benefit will depend on the number of successful planning applications and the subsequent level of use of the facilities.

### **Race, disability, gender and other equality**

Option A will have no impact.

### **Human rights**

Option A will have no impact.

### **Rural proofing**

Option A will have no impact.

### **Enforcement, sanctions and monitoring**

Irrespective of which Option is chosen, the enforcement, sanctions and monitoring procedures will be the same.

### **Implementation and delivery plan**

We shall take into account the responses to this consultation in implementing our proposals and these will inform any final policy revisions in 2010.

We anticipate there will be a widespread 'roll-out' of any revised policy with a wide range of stakeholders; including local authorities and regions to build capacity and promote the robust implementation of the policy and its accompanying guidance. This is particularly important for our preferred Option A, to ensure familiarisation costs are kept to a minimum.

### **Post-implementation review**

The Government will monitor and review the impact of the policy once this planning policy statement has been finalised.

## Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	Results in Evidence Base?	Results annexed?
Competition Assessment	Yes	No
Small Firms Impact Test	Yes	No
Legal Aid	Yes	No
Sustainable Development	Yes	No
Carbon Assessment	Yes	No
Other Environment	Yes	No
Health Impact Assessment	Yes	No
Race Equality	Yes	No
Disability Equality	Yes	No
Gender Equality	Yes	No
Human Rights	Yes	No
Rural Proofing	Yes	No

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