

NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION – COTSWOLDS NATIONAL LANDSCAPE BOARD DRAFT RESPONSE, FEBRUARY 2026

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CONTEXT

The Cotswolds National Landscape (CNL) Board recognises the need for an efficient and effective planning system that contributes to the achievement of sustainable development.

As stated in both the draft National Planning Policy Framework (NPPF) and in the December 2024 iteration of the NPPF, achieving sustainable development means pursuing economic, social and environmental objectives in mutually supportive ways. In the context of Protected Landscapes, this means ensuring that development is delivered in a way that is compatible with and, ideally, positively contributes to the purposes of designation (i.e. in the context of National Landscapes, conserving and enhancing natural beauty). This approach aligns with the statutory duty, on relevant authorities, to seek to further these purposes.

In this regard, we are pleased to see that the draft NPPF retains much of the policy wording, relating to Protected Landscapes, that is provided in the December 2024 iteration of the NPPF. The draft NPPF also includes some improvements in this regard. However, some of the proposed changes undermine the level of protection that is afforded to Protected Landscapes.

The Board’s over-arching concern is that any tweaks that might be made to the policy wording relating to Protected Landscapes pale into insignificance compared to the impact of the changes that were made, in December 2024, to the Government’s standard method for calculating housing need.

The changes to the standard method mean that local authorities that overlap with National Landscapes are now expected to accommodate far more housing than was previously the case –

more than twice as much in some instances. As a result, the amount of housing that is allocated in Protected Landscapes and their settings is likely to increase significantly.

These changes also mean that the housing land supply of these local authorities has dropped significantly, making it much easier for developers to secure planning permission for speculative development proposals in inappropriate locations and at an inappropriate scale.

These factors are having a significant adverse impact on the natural beauty of our most outstanding landscapes.

We acknowledge that the current consultation does not propose any changes to the standard method. However, the draft NPPF embeds the standard method more explicitly into the NPPF than the December 2024 iteration. This provides an opportunity to review the standard method methodology to help ensure that it provides the right housing in the right place.

KEY RECOMMENDATIONS

Pre-eminent issue: standard method

We recommend that the methodology used in the Government’s standard method for calculating housing need should be amended in a way that would result in a lower housing need figure for local authorities that overlap with National Landscapes, especially where there is significant overlap. The way in which affordability is factored into the standard method will be a key consideration in this regard.

Other priority issues

Presumption in favour of sustainable development.

We recommend that the ‘exemptions’ provided for in paragraph 11d(i) of the December 2024 iteration of the NPPF should be incorporated into Policy S3, at least in relation to Protected Landscapes.

We recommend that the proposed automatic presumption in favour of granting permission for the types of development specified in Policy S5, outside of settlements, should not apply in Protected Landscape

Major development

We recommend that the wording in paragraph 190 of the December 2024 iteration of the NPPF, relating to major development, should be used (i.e. re-instated) in Policy N4 of the draft NPPF.

We recommend that the issue of major development, in this context, should be explicitly addressed in the plan-making policies of the NPPF. To address this, we recommend that following sentence should be added to Policy PM2 (Local plans) as an additional paragraph:

- *When considering potential allocations within Protected Landscapes, the requirements of Policy N4 (Protected Landscapes) relating to major development should be applied.*

Highest status of protection

We recommend that Policy N4 should include the statement that Protected Landscapes have the highest status of protection in relation to conserving and enhancing natural beauty, in line with the wording in paragraph 189 of the December 2024 iteration of the NPPF.

Protected Landscape Management Plans

We recommend that Policy N4 should require consideration to be given to the objectives, policies, etc., of the relevant Protected Landscape Management Plan. To address this issue, we recommend that the following sentence should be added to Policy N4 (Protected Landscapes):

- *Development proposals and development management decisions should have regard to the relevant Protected Landscape Management Plan.*

STANDARD METHOD

The Cotswolds National Landscape (CNL) Board has significant concerns about the changes that were made to the Government's standard method for calculating housing need in December 2024. From a CNL perspective, the implications of these changes, far outweigh the implications of any of the changes that are proposed in the draft NPPF.

In the Board's opinion, these changes significantly undermine the statutory duty, on relevant authorities, to seek to further the purpose of conserving and enhancing the natural beauty of Protected Landscapes.

We acknowledge that the NPPF consultation doesn't propose further changes to the standard method. However, it does import the Government's Planning Practice Guidance (PPG) on the standard method into the draft NPPF (Annex D). As stated in the consultation documents, this has been done because this aspect of PPG is considered to be '*essential for the operability of the Framework's policies*'.¹ We consider that this provides an opportunity to review and re-consider the methodology used in the standard method.

The revised standard method has resulted in a significant increase in the housing need figure for the 11 local authorities (not including county councils) that overlap with the CNL. The average increase is 67%. For three of these local authorities, the housing need figure has more than doubled. As a result, all of these local authorities are having to seek to accommodate a much larger amount of housing than has previously been the case.

This increase in housing need has directly led to a significant decrease in housing land supply. Prior to December 2024, five of the 11 local authorities had a housing land supply in excess of five years. A further four had a housing land supply in excess of four years. The lowest housing land supply figure was 3.65 years. However, as a result of the changes that were made to the standard method, none of these local authorities now have a housing land supply that exceeds five years and only one has a housing land supply that exceeds four years. The housing land supply for two local authorities is less than two years.

This significant shortfall in housing land supply is making it much easier for developers to secure permission for proposals, in the CNL and its setting, that are of an inappropriate scale and / or in inappropriate locations. This is undermining the plan-led planning system and is leading to development that does not provide, or facilitate, the necessary infrastructure, services and facilities or a locally distinctive sense of place.

Table 1. Housing need and housing land supply figures for the local authorities that overlap with the Cotswolds National Landscape

¹ <https://www.gov.uk/government/consultations/national-planning-policy-framework-proposed-reforms-and-other-changes-to-the-planning-system/national-planning-policy-framework-proposed-reforms-and-other-changes-to-the-planning-system>. Consultation introduction – changes to structure and content.

Local authority	Housing need before December 2024 (homes / annum) ⁱ	Housing need after December 2024 (homes / annum) ⁱⁱ	% increase in housing need	Housing land supply before December 2024 (years)	Housing land supply after December 2024 (years)
Bath & North East Somerset	717	1,471	105.2	5.5 ⁱⁱⁱ	2.5 ^{iv}
Cheltenham	545	824	51.2	4.58 ^v	2.69 ^{vi}
Cherwell	706	1,118	58.4	5.8 ^{vii}	3.1 ^{viii}
Cotswold	504 ^{ix}	1,036	105.6	7.3 ^x	1.8 ^{xi}
South Gloucestershire	1,317	1,702	29.2	4.41 ^{xii}	3.97 - 4.36 ^{xiii}
Stratford on Avon	553	1,126	103.6	24.65 ^{xiv}	2.74 ^{xv}
Stroud	620	820	32.3	4.33 ^{xvi}	3.24 ^{xvii}
Tewkesbury	554	614	10.8	3.65 ^{xviii}	2.58-3.4 ^{xix} ; 3.14 ^{xx}
West Oxfordshire	549	905	64.8	5.4 ^{xxi}	4.3 ^{xxii}
Wiltshire	1,917	3,525	83.9	4.2 ^{xxiii}	2.42 ^{xxiv}
Wychavon	1,193	2,174	82.2	2.30 ^{xxv}	1.28 ^{xxvi}
TOTAL	9,175	15,315	66.9		

Key (for comparative purposes):

- Housing need: Red shading = greater than 100% increase; orange shading = 50%-100% increase; yellow shading = increase of up to 50%.
- Housing land supply: Red shading = less than 3 years; orange shading = 3-4 years; yellow shading = 4-5 years; green shading = 5 years or above.

This situation is particularly dire for Cotswold District, whose housing need figure has increase by 106% and whose housing land supply has dropped from 7.3 years to 1.8 years. This is particularly significant, in the context of the CNL, because 77% of Cotswold District overlaps with the CNL and, conversely, 44% of the CNL overlaps with Cotswolds District.

The potential impact of these changes on settlements within the CNL and its setting are demonstrated by the recent consultation on the draft Cotswold District Local Plan.²

Cotswold District Council recognises the importance of conserving and enhancing the natural beauty of the CNL and does not intend to accommodate strategic scale development within the CNL. However, the Local Plan evidence base indicates that if the District was to accommodate its housing need figure in full, the amount of housing in multiple settlements in the CNL would more than double. For the iconic settlement of Chipping Campden, there would be a four-fold increase in housing numbers. This level of growth would be catastrophic for the natural beauty of the Cotswolds and for its designation as a National Landscape.

To try and moderate these impacts, to some degree, the District Council is proposing setting a housing requirement figure that is only 79% of the District’s standard method housing need

² <https://www.cotswold.gov.uk/planning-and-building/planning-policy/local-plan-news-and-consultation/preferred-options-consultation-nov-2025-documents/>

figure. However, this would still be a 60% increase compared to the amount of housing that would have been required to meet the pre-December 2024 housing need figure.

Even this scenario, Moreton-in-Marsh, whose historic core is located within the CNL, would end up with 2.6 times as many homes as the current baseline. In this scenario (and in the scenarios that would accommodate an even smaller quantum of development), the amount of housing in multiple other settlements within the CNL and its setting would increase by more than 10%, which we consider to be disproportionate. For some of these settlements, there would be more than a 40% increase.

So, even if the Cotswold District set a housing requirement figure that is lower than the standard method figure, this is still likely to result in a quantum of development that:

- far exceeds what has gone before; and
- would cause significant harm to the natural beauty of the CNL.

In the shorter term, prior to the Local Plan being adopted, the District is facing a significant increase in the number of development proposals that are being promoted within the CNL and its setting. Many of these would probably not have seen the light of day prior to the December 2024 changes to the standard method.

Whilst these issues are most extreme in Cotswold District, similar concerns also apply to the other local authority areas that overlap with the CNL. Similar concerns are also likely to apply in other National Landscapes.

The increase in the standard method figures primarily results from two key changes to the methodology that is used in the standard method.

Firstly, the revised standard method is based on the baseline housing stock, whereas the previous iteration was based on projected growth. From a Protected Landscapes perspective, this can be particularly problematic where relatively large urban areas are located adjacent to – or in close proximity to – a Protected Landscape and / or where sizeable market towns are located within a Protected Landscape. Also, the baseline housing stock does not necessarily correlate with anticipated economic growth.

Secondly, the revised standard method makes a larger adjustment for affordability than the previous iteration of the standard method. This is particularly problematic in Protected Landscapes. This is because Protected Landscapes are, by virtue of their outstanding natural beauty, very desirable places to live. This brings with it a higher price tag, which makes housing in these areas relatively unaffordable. By making a larger adjustment for affordability, the standard method makes local authority areas that overlap with Protected Landscapes a focal point for new housing development. This is despite the fact that the adjustment for affordability makes very little, if any, difference to actual house prices.

Based on the above points, we consider that the revised standard method is in direct conflict with:

- the great / substantial weight that should be given to conserving and enhancing natural beauty;
- the presumption against permitting major development in Protected Landscapes;
- the statutory duty, on relevant authorities, to seek to further the purpose of conserving and enhancing natural beauty;

- the purpose of the planning system, which is to contribute to the achievement of sustainable development (i.e. meeting economic, social and environmental objectives in mutually supportive ways).

It is worth noting that the housing need figures that are derived from the standard method are, to a large degree, an artificial construct. This is because these figures bear very little, if any, correlation with projected levels of economic growth within local authority areas or with projected levels of 'migration' to and from local authority areas.

To address these issues, the Board recommends that the Government should consider reviewing and amending the standard method methodology in a way that would help to reduce the housing need figure for local authorities that overlap with Protected Landscapes, particularly where there is significant overlap between the local authority area and the Protected Landscape.

It is important to note that the Board is not suggesting that the Government should set a lower housing target for England as a whole. Instead, we are recommending that the standard method should be amended to ensure that this housing is distributed in a more appropriate way.

RESPONSE TO CONSULTATION QUESTIONS

36) Do you agree with the revised approach to the presumption in favour of sustainable development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

The Cotswolds National Landscape (CNL) Board strongly disagrees with the revised approach to the presumption in favour of sustainable development, which is set out in Policy S3 (and in Policies S4, S5 and S6) of the draft NPPF.

Paragraph 11d of the December 2024 iteration of the NPPF sets out the circumstances in which the presumption in favour of granting planning permission is overcome (or disapplied). This includes circumstances where:

- *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed.* (Paragraph 11d(i)).

Footnote 7 of the December 2024 iteration clarifies that the policies referred to, in this regard, include those relating to Protected Landscapes.

The Board is very concerned that this 'exemption' has not been taken forward into the draft NPPF, in Policy S3, at least not in relation to Protected Landscapes. This is because this 'exemption' has played a crucial role in helping to ensure that the overall planning balance is not tilted in favour of granting permission for harmful development proposals in Protected Landscapes and their settings.

The removal of this exemption significantly undermines the purpose of designation (i.e. conserving and enhancing natural beauty). It also conflicts with the statutory duty, on relevant authorities, to seek to further this purpose.

To address this issue, we recommend that the requirements of Paragraph 11d(i) should be reinstated (at least in relation to protected landscapes³) and included by adding an additional paragraph to Policy S3, as follows:

- Policy S3(d): *In Protected Landscapes and their settings, the presumption in favour of granting planning permission should be disapplied where the application of policies relating to Protected Landscapes provides a strong reason for refusing the development proposed.*

It is appropriate to add this paragraph into Policy S3, rather than Policies S4 or S5 because it is applicable regardless of whether the proposed development is within a settlement or outside a settlement.

In the Board's opinion, this 'exemption' would be complementary to Policy N4 (Protected Landscapes) and would not duplicate it.

In paragraph 11d of the December 2024 iteration of the NPPF, the other circumstance in which the presumption in favour of granting planning permission is overcome (or disapplied) is where '*any adverse impacts of [granting permission] would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*'. (Paragraph 11d(ii)).

This aspect of paragraph 11(d) has been taken forward into Policies S4 and S5 of the draft NPPF, both of which identify that the specified forms of development '*should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework*'.

As outlined in case law, paragraph 11d '*prioritises the application of Footnote 6⁴ policies for the protection of the relevant areas of assets of particular importance*'.⁵ The case law continues by stating that '*it follows that where limb (i) is engaged, it should generally be applied first before going on to consider whether limb (ii) should be applied*'.⁶ This highlights the importance of paragraph 11d(i) and its higher level of priority compared to paragraph 11d(ii). The same principles should apply in the draft NPPF policies.

This provides further justification for:

- retaining relevant section of paragraph 11d(i), including in relation to Protected Landscapes;
- keeping this exemption separate from other considerations;
- framing the paragraph 11d(i) wording as an over-arching consideration, in Policy S3.

³ Some (but not all) of the other 'areas or assets of particular importance' are addressed the subsequent policies (i.e. Policies S4 and S5), including Local Green Space and designated wildlife habitats.

⁴ Footnote 7 in the December 2024 iteration of the National Planning Policy Framework.

⁵ *Monkhill Ltd v Secretary of State for Housing, Communities and Local Government and Waverley Borough Council*. Case No: CO/539/2019. [2019] EWHC 1993 (Admin) ([link](#)). Paragraph 39, sub-paragraph 8, page 11.

⁶ *Monkhill Ltd v Secretary of State for Housing, Communities and Local Government and Waverley Borough Council*. Case No: CO/539/2019. [2019] EWHC 1993 (Admin) ([link](#)). Paragraph 39, sub-paragraph 9, page 11.

Please also refer to the Board’s comments on Policy S4 (Principle of development within settlements) and Policy S5 (Principle of development outside settlements) for further information.

37) Do you agree to the proposed approach to development within settlements? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

The Cotswolds National Landscape (CNL) Board considers that Policy S4 (Principle of development within settlements) is potentially acceptable provided that the Board’s recommendations relating to Policy S3 are implemented. I

f those recommendations are not implemented than the exemptions that are provided for in paragraph 11d(i) of the December 2024 iteration of the NPPF should be incorporated into Policy S4, particularly with regards to Protected Landscapes.

Please also refer to the Board’s comments on:

- Policy SP3 (Presumption in favour of sustainable development)
- Policy SP5 (Principle of development outside settlements)
- Policy N4 (Protected Landscapes) in relation to major development in Protected Landscapes and the presumption against such development

38) Do you agree to the proposed approach to development outside settlements? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

The Cotswolds National Landscape (CNL) Board does not support an automatic presumption in favour of granting permission, in Protected Landscapes, for the types of development specified in Policy S5 (Principle of development outside settlements).

That is not to say that such development should never be permitted. It is simply that the overall planning balance should not be tilted in favour of granting permission.

The types of development listed could potentially conflict with the statutory purpose of conserving and enhancing the natural beauty of Protected Landscapes. This, in turn, would conflict with the statutory duty, on relevant authorities, to seek to further this purpose.

For example, such development could potentially adversely affect landscape character, visual amenity, tranquillity (as a result of visual or aural disturbance, including increased traffic movements), dark skies (as a result of the introduction of lit elements or increased levels of lighting), natural heritage and cultural heritage.

Having an automatic presumption in favour of granting permission for the following types of development in Protected Landscapes would be of particular concern:

(a)

- mineral extraction – this would conflict with Policy M1 (Planning for a sufficient supply of minerals), paragraph 6, which specifies that *'landbanks of non-energy minerals should, so far as practical, be maintained through sites which lie outside National Parks, the Broads, National Landscapes and designated heritage assets'*.
 - energy infrastructure – such infrastructure could potentially appear incongruous (i.e. not in keeping with the natural beauty of the area);
 - roadside facilities – such facilities would potentially result in inappropriate levels of traffic movements, lighting and noise;
- (h) development for housing and mixed used development in close proximity to railway stations – in the CNL, several railway stations are located outside of settlement boundaries in relatively isolated and tranquil locations – an automatic presumption in favour of granting permission would not be appropriate in such locations within a Protected Landscape;
- (i) development which would address an evidenced unmet need – Protected Landscapes are not suitable locations for unrestricted housing – the main focus should be on meeting affordable housing requirements specific to the individual settlement – even then, there should not be a presumption in favour of granting permission.

182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a). Please provide your reasons, including how policy can be improved to ensure compliance.

The Cotswolds National Landscape (CNL) Board supports several of the changes that have been made to Policy N4, which equates to paragraphs 189 and 190 of the December 2024 iteration of the National Planning Policy Framework (NPPF). However, there are some changes which the Board strongly disagrees with.

Changes that the Board supports in principle

Natural beauty

The Board supports the proposed change from referring to 'conserving and enhancing landscape and scenic beauty' to 'conserving and enhancing natural beauty'.

Making explicit reference to natural beauty would be more consistent with the purpose of National Landscape designation, which is the purpose of conserving and enhancing natural beauty.⁷ It would also be more consistent with the statutory duty, on relevant authorities, to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes.⁸

- ***COMMENT: At the National Landscape Association's Planning Working Group meeting on 14 January, there was some discussion as to whether the NPPF glossary should include a definition / explanation of natural beauty. The consensus seemed to***

⁷ Section 82 of the Countryside and Rights of Way Act 2000 ([link](#)).

⁸ Section 85 of the Countryside and Rights of Way Act 2000 ([link](#)).

be that this would probably be a good idea. I offered to develop a draft definition of natural beauty for inclusion in the NPPF glossary. The definition that I have drafted is based on existing legislation and guidance. I have circulated it to National Landscape and National Park colleagues. The feedback that I have received indicates that there is unlikely to be a consensus on: (i) whether there should be a definition; or (ii) what this definition should say. As such, I am not anticipating taking the draft definition forward into our final consultation response. However, I have included it as an appendix to this document, for now, for reference.

Development that is sensitively located and designed

The December 2024 iteration of the NPPF included a requirement for development within the setting of Protected Landscapes to be sensitively located and designed. We are pleased to see that this requirement has been retained in the draft NPPF and that it has been expanded to also relate to development within Protected Landscapes.

Mitigation and compensation

In principle, the Board supports the introduction of paragraph 3 into Policy N4 (i.e. the statement that '*where ... proposals ... are approved within protected landscapes, steps should be taken to mitigate potential adverse impacts on their special qualities and statutory purposes, including on features such as tranquillity and dark skies*').

However, the principle of mitigating potential adverse impacts should be required of any development proposal in Protected Landscapes and their settings, not just for major development within Protected Landscapes. Also, a higher priority than the mitigation of adverse impacts should be the avoidance and minimisation of adverse impacts. Any adverse impacts that can't be avoided should be mitigated to the extent that is reasonably practicable.

The Board acknowledges that there may be circumstances in which a decision maker might consider that the potential benefits of a proposed development outweigh the adverse impacts that the development might have on the natural beauty of a Protected Landscape (although this should be the exception rather than the rule). As such, we acknowledge that, in those circumstances, it may be appropriate to address the issue of compensation, albeit as a last resort.

Footnote 71 relates the issue of compensation specifically to major development. However, it is also potentially applicable in relation to proposals that are not considered to constitute major development but which would still result in harm to natural beauty.

To address these points, we recommend that the wording of paragraph 3 of Policy N4 should be amended as follows:

- *Development proposals in Protected Landscapes and their settings should seek to (i) avoid, (ii) minimise and (iii) mitigate potential adverse impacts on the natural beauty of the area. In circumstances where the decision maker considers that the benefits of a proposed development outweigh the harm that would be caused to the natural beauty of a Protected Landscape, consideration should, as a last resort, be given to the issue of compensation.*

It should not be inferred that fulfilling these requirements makes a development proposal acceptable. This is because a development proposal that fulfilled this requirement could still potentially result in harm to the natural beauty of the affected Protected Landscape. This harm

could – and, in many cases, should – outweigh the potential benefits of the proposed development.

- COMMENT: I think it is appropriate to consider the issue of compensation, as a last resort, in circumstances where the decision maker considers that the potential benefits of a development would outweigh the harm caused. This scenario is increasingly likely, given that the December 2024 amendments to the standard method have resulted in a significant supply in the housing land supply of local authorities that overlap with National Landscapes. However, some National Landscape teams consider that no reference should be made to the issue of compensation. As such, there is unlikely to be consensus on this issue across the National Landscapes family. However, I am comfortable with the Board putting forward its own opinions on this issue.***

Changes that the Board does not support

Highest status of protection

The December 2024 iteration of the NPPF states that Protected Landscapes ‘*have the highest status of protection in relation to these issues*’ (i.e. conserving and enhancing landscape and scenic beauty / natural beauty). This statement has not been included in the draft NPPF. The Board strongly objects to the removal of this statement.

This status-affirming phrase is a key tenet of planning policy for designated landscapes. It is a long-standing legacy from the old PPS7 in published in 2004, which set out that “*Nationally designated areas comprising National Parks, the Broads, the New Forest Heritage Area and Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty*” (PPS7 para 21).

The phrase ‘highest status of protection’ gives a powerful message to and developers regarding the status of these landscapes and the scrutiny that needs to be applied to assessing proposals. The removal of this phrase would send a harmful negative message, the perception that PLs no longer warrant such status nor merit such scrutiny.

We strongly recommend that the phrase clarifying that protected landscapes ‘*have the highest status of protection*’ in relation to natural beauty is reinstated into N4 (1).

Major development

The draft NPPF states that ‘*proposals for major development within protected landscapes should only be supported in exceptional circumstances*’. This is a change from the wording in the December 2024 iteration of the NPPF, which states that ‘*permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest*’.

The Board considers that the wording in the draft NPPF is much weaker than in the December 2024 iteration. This is because the wording in the December 2024 iteration provides a much stronger presumption against development whereas the draft NPPF wording is a more caveated approach.

Also, the wording in the December 2024 iteration addresses ‘*exceptional circumstances*’ and ‘*public interest*’, whereas the draft NPPF wording only addresses exceptional circumstances. We consider that it is important to retain the ‘public interest’ component. This is because the extent to which a development would be in the public interest would have to be weighed against the

fact that the natural beauty of Protected Landscapes is so outstanding that it is in the nation's interest to safeguard them.

In the draft NPPF, Policy S4(Principle of development within settlements), paragraph 2 states that:

- *In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include ... situations where the development proposals would:*

(c) Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

If the wording in Policy N4 is used in relation to major development there would not be a clear connection between Policy N4 and Policy S4(c) as Policy N4 would not specify circumstances in which proposals should be refused. However, if the wording in paragraph 190 of the December 2024 iteration is used, there would be a clear connection as this wording does specify circumstances in which proposals should be used.

To address these points, we recommend that the wording in the December 2024 iteration should be re-instated.

The draft NPPF includes multiple circumstances in which development should be refused. As such, retaining a presumption against major development in Protected Landscapes (as per the wording in the December 2024 iteration) would be consistent with other policies in the draft NPPF.

Additional suggested changes

Weight

The Board notes that the draft NPPF proposes that 'substantial weight' should be given to conserving and enhancing natural beauty whereas the December 2024 iteration stated that 'great weight' should be given to conserving and enhancing landscape and scenic beauty. We acknowledge that there was a lack of clarity regarding the ranking of the different 'weights' that were used in the December 2024 iteration of the NPPF (i.e. substantial, great, significant). As such, we acknowledge that there may be some merit in consistently using the term 'substantial weight'. However, with this term being applied 17 times in the draft NPPF, there is a risk that the benefit of applying this weighting could be undermined. Overall, we accept the use of the phrase 'substantial weight' in the context of Policy N4.

However, we recommend that paragraph 1 of Policy N4 should be re-ordered such that the sentence relating to 'substantive weight' comes first. This is because we consider this to be the most important aspect of paragraph 1.

Management Plans

The Board is pleased to see that the draft NPPF makes explicit reference to Protected Landscape Management Plans in Policy N1 (Identifying environmental opportunities and safeguards). However, we consider that explicit reference should also be made to Protected Landscape Management Plans in the context of the NPPF's decision-making policies, specifically Policy N4 (Protected Landscapes).

Relevant authorities, including local authorities and the Planning Inspectorate, have a statutory duty to seek to further the purpose of conserving and enhancing the natural beauty of Protected

Landscapes.⁹ Management Plans are a key reference point for understanding natural beauty in the context of individual Protected Landscapes. Supporting and implementing the Management Plan objectives, policies and / or principles (as applicable) is a key component of furthering these purposes.

As outlined in Defra's guidance on the seek to further duty,¹⁰ questions that relevant authorities should consider include:

- *Do measures ... align with and help to deliver the targets and objectives in the Protected Landscape's Management Plan?*
- *Has the relevant Protected Landscapes team been approach for their views on whether or not measures help to deliver the Protected Landscapes Management Plan and further the purposes of the designation?*

With these points in mind, we consider it to be essential for Protected Management Plans to be explicitly addressed in Policy N4.

Our suggested wording, in this regard, is as follows:

- *Development proposals and development management decisions should have regard to the relevant Protected Landscape Management Plan.*

Enhancement

Relevant authorities are required to not only seek to conserve the natural beauty of Protected Landscapes but also to seek to enhance it. In other words, relevant authorities should go beyond seeking to avoid harm to natural beauty – they should also seek to make it better, for example, by restoring aspects of a Protected Landscapes natural beauty that have become degraded.

Although the seek to further duty doesn't apply directly to most developers (unless they happen to be a relevant authority), the decision making body will have to be satisfied that a development proposal is of a sufficient standard that the seek to further duty would be fulfilled if they permit the development.

On this basis, we recommend that Policy N4 should include the following statement:

- *Development proposals will be expected to take all reasonably practicable steps to enhance, as well as conserve, the natural beauty of the relevant Protected Landscapes. This should be over and above any steps that are taken to avoid, minimise and mitigate any potential harm.*

Applying Policy N4 to plan-making as well as decision-making

Policy N4 (Protected Landscapes) is a decision-making policy. Many aspects of Policy N4 are also relevant for plan-making. Some of these aspects are already addressed in the plan-making policies of the NPPF. For example, the requirement to limit the scale and extent of development in Protected Landscapes is also found in Policy N1 (Identifying environmental opportunities and safeguards). However, a key aspect of Policy N4 that the draft NPPF does not explicitly address in the context of plan-making is the issue of major development.

⁹ Section 85 of the Countryside and Rights of Way Act 2000 ([link](#)).

¹⁰ <https://www.gov.uk/government/publications/the-protected-landscapes-duty/guidance-for-relevant-authorities-on-seeking-to-further-the-purposes-of-protected-landscapes>

Legal opinion has stated that *'it would arguably amount to an error of law to fail to consider paragraph 116 [i.e. the part of Policy N4 in the draft NPPF that relates to major development] as the site allocation stage of plan-making'*.¹¹ This is because if an allocated site was later considered to be major development and that exceptional circumstances did not apply then that development would not be permitted. In effect, the allocation would be unsound.

When formulating their local plans, local planning authorities should identify whether their proposed allocations constitute major development, in the context paragraph 190 of the December 2024 iteration of the NPPF (or Policy N4 in the draft NPPF). If it is identified that any of the proposed allocations do constitute major development then the major development 'tests' should be applied. If it is identified that exceptional circumstances do not apply and that the allocation would not be in the public interest then the allocation should not be taken forward.

Policy S1 (Positive plan-making) does address the circumstances in which the application of NPPF policies relating to Protected Landscapes can provide an exemption from meeting objectively assessed needs in full. In theory, this could include circumstances where an allocation constitutes major development and exceptional circumstances do not apply.¹² However, unless the issue of major development is explicitly addressed as a plan-making issue, it is highly likely that local planning authorities will not explicitly address this issue in the plan-making process.

To address this issue, we recommend that the following sentence should be added to Policy PM2 (Local plans) as an additional paragraph:

- *When considering potential allocations within Protected Landscapes, the requirements of Policy N4 (Protected Landscapes) relating to major development should be applied.*

Suggested wording for Policy NE4

- ***ACTION REQUIRED: Insert suggested wording.***

¹¹ Toby Fisher, Landmark Chambers (2017) *In the matter of the South Downs National Park and in the matter of paragraph 116 of the NPPF – Opinion* ([link](#)). Paragraph 5, page 2.

¹² It is important to note that this isn't the only circumstance in which these exemptions would apply. Case law has clarified that the exemptions can also apply to development that does not constitute major development.

APPENDIX 1. DRAFT DEFINITION OF NATURAL BEAUTY FOR POSSIBLE INCLUSION IN THE NPPF GLOSSARY

N.B. As noted in the text above, there is no consensus on this amongst the Protected Landscapes family so it is unlikely to be taken forward into our final consultation response.

'Natural beauty' is the result of multiple elements acting in combination. These elements include landform and geology, landscape features, the perceptions of those who experience it, habitats and species, and the rich history of human settlement and land use.

These elements are reflected in Natural England guidance which indicates that the factors that contribute to natural beauty include, but are not limited to: landscape quality, scenic quality, relative wildness, relative tranquillity, dark skies, natural heritage and cultural heritage.

Natural beauty does not necessarily infer pristine or completely natural landscapes. This is because natural beauty is, in part, due to human intervention in the landscape, for example, through the use of land for agriculture. However, it does infer a high degree of relative naturalness, relatively free from urbanisation and industrialisation.

The most significant aspects of natural beauty for each protected landscape are set out in the relevant protected landscape management plan and in related guidance, which should be key reference points in this regard.

The factors that contribute to a protected landscape's natural beauty should be considered holistically.

END NOTES (FROM TABLE 1)

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- ⁱ <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>. Indicative local housing need (December 2024 – new standard method).
- ⁱⁱ <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>. Indicative local housing need (December 2024 – new standard method).
- ⁱⁱⁱ Bath and North East Somerset Council (2025) *Bath and North East Somerset Council Authorities Monitoring Report 2023/2024* ([link](#)). Five year housing land supply, page 17.
- ^{iv} Bath and North East Somerset Council (2025) *Five Year Housing Land Supply Interim Statement May 2025* ([link](#)). Paragraph 1.3, page 1 (digital page 3).
- ^v Cheltenham Borough Council (2025) *Housing Delivery Test Action Plan 2025* ([link](#)). Paragraph 1.3, page 1 (digital page 3).
- ^{vi} Cheltenham Borough Council (2025) *Cheltenham Borough Five Year Housing Land Supply Statement as at 31 March 2025* ([link](#)). Paragraph 1.3, page 1 (digital page 4).
- ^{vii} <https://www.cherwell.gov.uk/info/33/planning-policy/370/monitoring-reports/3>. Housing Land Supply Position Statement Updated January 2023.
- ^{viii} <https://www.cherwell.gov.uk/info/33/planning-policy/370/monitoring-reports>. Annual Monitoring Report 2025, Table 16, page 22.
- ^{ix} Some sources indicate that the pre-December 2024 housing need figure was 493 homes per annum (e.g. [link](#), paragraph 1.5, page 4).
- ^x Cotswold District Council (2025) *Cotswold District Housing Land Supply Report June 2025* ([link](#)). Paragraph 0.5.
- ^{xi} Cotswold District Council (2025) *Cotswold District Housing Land Supply Report June 2025* ([link](#)). Paragraph 0.5.
- ^{xii} South Gloucestershire Council (2024) *South Gloucestershire Council – 2024 Authority’s Monitoring Report and Supporting Appendices* ([link](#)). Page 39.
- ^{xiii} <https://www.alderking.com/wp-content/uploads/2025/10/Alder-King-South-West-England-Five-Year-Housing-Land-Supply-Schedule-08102025.pdf>. Appeal Ref: [APP/P0119/W/25/3360622](#) (decision date = 30/9/25). The local authority claimed a 3.97 year housing land supply and the appellant claimed a 4.36 year housing land supply. The planning inspector didn’t commit one way or the other.
- ^{xiv} Stratford on Avon District Council (2025) *Authority Monitoring Report 2023/2024 March 2025* ([link](#)). Paragraph D1.21, page 54.
- ^{xv} <https://www.evansjones.co.uk/news/revised-housing-land-supply-figures.php>. Page 3. Appeal Ref: [APP/J3720/W/25/3358848](#) (decision date = 3/9/25). The council claimed a 5.04 year housing land supply but the appellant claimed a 2.74 year housing land supply – the planning inspector concluded that the housing land supply was 2.74 years (paragraph 81, page 16).
- ^{xvi} Stroud District Council (2024) *Stroud District Five Year Housing Land Supply November 2024* ([link](#)). Page 7 (digital page 10).
- ^{xvii} Stroud District Council (2025) *Stroud District: Housing Land Supply Update January 2025* ([link](#)).
- ^{xviii} Tewkesbury Borough Council (2024) *Tewkesbury Borough Five Year Housing Land Supply Statement as at 31 March 2024* ([link](#)). Page 11 (digital page 14).
- ^{xix} <https://www.evansjones.co.uk/news/revised-housing-land-supply-figures.php>. Appeal Ref: [APP/G1630/W/24/3357444](#) (decision date = 27/8/25).
- ^{xx} <https://www.alderking.com/wp-content/uploads/2025/10/Alder-King-South-West-England-Five-Year-Housing-Land-Supply-Schedule-08102025.pdf>. Appeal Ref: [APP/G1630/W/25/3368623](#) (decision date = 16/9/25).
- ^{xxi} West Oxfordshire District Council (2023) *Housing Land Supply Position Statement 2023-2028*. October 2023. ([Link](#)). Paragraph 6.2, page 7.
- ^{xxii} Appeal Ref: [APP/D3125/W/25/3367995](#) (decision date = 30/12/25). Paragraph 43, page 7.
- ^{xxiii} Wiltshire Council (2024) *Housing Land Supply Statement*. Base Date: April 2023. Published: June 2024. ([Link](#)). Table 2a, page 12.
- ^{xxiv} Wiltshire Council (2025) *Housing Land Supply Statement*. Base Date: April 2024. Published: June 2025. ([Link](#)). Table 2a, page 12.

^{xxv} Malvern Hills District Council, Worcester City Council and Wychavon District Council (2024) *South Worcestershire Councils' Five Year Housing Land Supply Report*. Monitoring Period 2023/2024. 5YHLS Period 2024-2029. Published November 2024. ([Link](#)). Table 10, page 17 (digital page 19).

^{xxvi} Malvern Hills District Council, Worcester City Council and Wychavon District Council (2026) *South Worcestershire Councils' Five Year Housing Land Supply Report*. Monitoring Period 2025/2026. 5YHLS Period 2025/26-2029/30. Published January 2025. ([Link](#)). Table 10, page 12 (digital page 13).