

## **Landscape – The Maturing of an Idea over 60 years**

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### Abstract

*The 1949 National Parks and Access to the Countryside Act was a milestone in British conservation history. But while we celebrate it today, we can see with the benefit of hindsight that it had some major shortcomings. It split nature conservation from landscape protection and its enjoyment; it focused only on the “best” landscapes and largely ignored the rest; it failed to address the problems created by farming and forestry for landscape, wildlife and heritage; and the central concept of “natural beauty” was not helpful. It also created a tension between landscape conservation and recreation in national parks, and left AONBs as second class protected landscapes – both issues that it took many years to resolve. So, while the measures it introduced to protect the best of our landscapes were, by and large, successful, it became ever more apparent that the approach embodied in the 1949 Act did not meet the needs of the passing years. A new approach developed, partly through leadership from the former Countryside Commission, in which the focus extended beyond protected landscapes, addressed questions of farming and landscape, introduced the idea of countryside and landscape management, pioneered schemes to create wholly new landscapes and sought a common language in respect of key landscape concepts. As a result, a new understanding of landscape has emerged, in which all landscapes matter and landscape is recognised as a resource that is not only to be protected but also managed and sometimes created. This wholly new expression of landscape is encapsulated in the European Landscape Convention.*

### **The background to the 1949 Act**

The history of the 1949 Act has been told many times (e.g. Blunden and Curry, 1990; Cherry, 1975; Sheail, 1998; Smout, 2001). The pre-war national parks movement drew its strength from the convergence of several traditions. There was the cause of protecting the most beautiful scenery that had its roots in the Lake District and the writings of Wordsworth. The reference, in his guide to the Lake District (1810), to the area as being one that was “a sort of national property in which every man has a right and interest who has an eye to perceive and a heart to enjoy” must be the most quoted phrase in British conservation history. But this strand of the national parks movement had a strong class bias and its leaders often feared, and sometimes opposed, the urban masses who wished to holiday in the Lake District for example. It thus contrasted with the democratic, even Marxist leanings of a second strand that was concerned with access, and the rights of the working man to enjoy the open moors and fells, principally around our northern industrial cities. The third strand behind the 1949 Act was scientific; its origins can be traced back to the nineteenth century pioneers, like Charles Rothschild, the founder of the Society for the Promotion of Nature Reserves, and its aims were to ensure that nature conservation was placed on a statutory footing.

Only when these forces combined did they create a powerful political pressure for legislation, but it took the Second World War to create the conditions where such legislation could be

enacted. Writing in 1947, Clough Williams-Ellis, the visionary who created Portmeirion, dedicated a book about the National Trust to all those beautiful natural and other places that had been destroyed during the war years – “a massacre of loveliness” he called it (William-Ellis, p. 7). Beauty was indeed the victim of wartime “collateral damage”, inflicted daily on a huge scale around the country, and indeed across the world. The passions and outrage that this gave rise to among the public and the political elite, and the belief that the nation needed to offer its citizens a better physical environment after the war, made the 1949 National Parks and Access to the Countryside Act possible. National parks and the related legislation were an obvious offering to the exhausted and impoverished people of post-war Britain: “in the heady atmosphere of this period, it was not practical politics to resist the promise” (Cherry, 1975, p. 159).

With its origins in the pre-war national parks movement, it is not surprising that the landscape measures focused on those areas that the campaigners had argued were most beautiful and most in need of protection. Many of these men (they were all men!) like the Rev. H. H. Symonds, Kenneth Spence, Norman Birkett, G.M.Trevelyan, Robert Chorley, Patrick Abercrombie and John Dower, had come to an enthusiasm for national parks through a love of the Lake District (Cousins, 2009), and mountains and moors were perhaps what moved them most. But love of other areas – the chalk downs, the Cornish coast, the Wye Valley, the Cotswolds and so on – was also part of the shared culture of the English middle classes between the wars. So it was this whole collection of special places that featured in John Dower’s report of 1945 and (with a few changes) in the Hobhouse Committee’s Report two years later. Though not mentioned individually by name in legislation, the landscape measures in the 1949 Act were about them, not the landscape in general, which it was assumed could be looked after by the newly established planning authorities as part of their day to day work.

### **What the Act did**

The 1949 Act laid the foundations of the landscape protection, access and nature conservation measures that we enjoy to this day, and that is the main cause for this generation to celebrate its enactment. National parks, AONBs, rights of way, long distance route (national trails), nature reserves, SSSIs – what would our experience of the countryside be without them? The Act was also pioneer legislation internationally, at least as far as landscape protection was concerned. Thus, with the possible exception of Japan, it seems that no other country – certainly no other European country – acted so early to adopt such comprehensive legislation to designate and protect cherished lived-in landscapes<sup>1</sup>. So it was a truly monumental piece

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<sup>1</sup> This claim is based upon some preliminary research that the author undertook to establish when each country’s system of protected landscapes (IUCN Category V protected areas) came into being. After the National Parks and AONBs of England and Wales, the next national family of such places to be so designated were Nature Parks in the then West Germany (the first small area was designated in 1955), Protected Landscape Areas in the then Czechoslovakia (first designation 1955), Regional/Provincial Parks in Italy (ditto 1967), Landscape Protection Areas in Norway (ditto 1967), and Regional Nature Parks in France (ditto 1969). Nearly every country in Europe now has system of protected landscapes (though not yet Ireland).

of legislation, on a par with the 1947 Town and Country Planning Act, and the setting up of the National Health Service in 1948.

Most importantly for those concerned with landscape, the 1949 Act introduced the rules under which these most beautiful parts of our countryside would be identified<sup>2</sup>, protected, administered and funded. Between 1951 and 1957, seven national parks were designated in England (and three in Wales). Five English parks were created in the north of England and two in the South West – all in essentially upland areas, and all but one west of the Tees-Exe line beloved of geographers.

There was some unfinished business left over after the main programme of national park designations was complete. Three areas in particular were also considered at some time as potential national parks. The Norfolk Broads was proposed by John Dower for inclusion on the list of “reserves” for a possible national park (Dower, p. 10); he also recommended that the New Forest and the South Downs should be treated as amenity areas but not as national parks. Hobhouse’s Committee thought both the Broads and the South Downs should be made into national parks. Hobhouse proposed that the New Forest be regarded as a “conservation area” (these became AONBs in the 1949 Act), though it was clear that the main way in which it was to be protected was to be through nature conservation measures. The Broads became the equivalent of a national park in 1988; the New Forest was designated as a park under the 1949 Act powers in 2005; and the designation of the South Downs has just been completed. None of these areas of course contains uplands; but they have added wetland, forest, chalk down and other landscapes to the portfolio of national park landscape types.

Beginning in 1958, 36 Areas of Outstanding Natural Beauty were designated in England<sup>3</sup>; another one is shared with Wales (which has four others). The last AONB to be designated in England (designated in 1994, confirmed in 1995) was the Tamar Valley (Devon and Cornwall). Generally, the landscapes of AONBs are vary varied, much more so than those of the national parks: thus they include the granite archipelago of Scilly, the high moors of the North Pennines, the chalk hills of south east England, the coastlines of the Solway, Northumberland, Dorset, Devon and Cornwall - and much else besides.

The National Parks Commission and the Countryside Commission considered that the undeveloped coast needed special measures of protection and management. As a result, a programme for creating Heritage Coasts began in 1972: (Countryside Commission, 1970; Natural England, 2009). Though they were not statutory designations, 44 such areas were defined along the finest and least developed lengths of coastline, and these were then included within development plans.

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<sup>2</sup> This was to be done through the designation powers of the National Parks Commission (1949-1968), and its successor bodies: the Countryside Commission (1968-1994), the Countryside Agency (1994-2006), and now Natural England (2006-present).

<sup>3</sup> There are now 35 such areas, since one former AONB, the South Hampshire Coast, was de-designated when the New Forest became a national park. This will happen shortly to the Sussex Downs and East Hampshire AONBs now that the South Downs National Park designation is complete.

The national parks, AONBs and Heritage Coasts are often now referred to collectively as England's protected landscapes. This convenient term comes from IUCN, the international nature conservation organisation that has recognised these areas as Category V protected areas under their categorisation system and included them on the United Nations List of Protected Areas (IUCN, 1998). The inclusion of national parks and AONBs in the same category is a reminder that the status attached to the landscapes of these two designations was intended to be essentially the same.

### **Some serious shortcomings in the 1949 Act**

The 1949 Act has been of tremendous importance in helping to protect much loved landscapes in a period of great change and against many threats, and many of its features have endured for 60 years. However, several of the central premises that underpinned the 1949 Act – or at least those relating to landscape - no longer work for us.

### The divide between nature conservation and landscape protection and enjoyment

The Act enshrined the separation of landscape protection and access to the countryside on the one hand, from nature conservation on the other, establishing separate ways of designating special areas and delivered through separate national agencies (initially the National Parks Commission and the Nature Conservancy). Once sundered apart in this way, the two cultures diverged, and at times even became rivals. Until Natural England came into being a few years ago, this deep institutional divide made it hard to link landscape and nature conservation – natural partners in the view of many, including the author who advocated the 'merits of merger' (Phillips, 1995). The eventual establishment of unified conservation agencies in all three countries of Britain, and the convergence of thinking that we now see in Natural England, have been most welcome. However, it takes time for a new, integrated philosophy to emerge. Even in Wales and Scotland, where combined agencies have been in existence for more than 15 years, it sometimes seems as if deep fault lines still shake the surface harmony between the inheritors of two different cultures – cultures which, in England after all, had been institutionally separate for nearly 60 years.

### The focus on the best of the landscape

The 1949 Act focused on what were seen as the most valuable landscapes: a bold vision that set out to protect nearly a quarter of the entire countryside, where - pre-war - no such system of landscape protection existed. Furthermore, the 1949 Act came into being alongside a wholly new system for controlling development put in place by the 1947 Town and Country Planning act, through which, it was assumed, landscape and the countryside in general could be protected. But as post-war Britain became more prosperous and development pressures re-appeared, it soon became clear that these defences were too weak to inject a serious concern for landscape outside the protected landscapes (and it was not always possible to do so within them either). The Act's focus on the best of the landscape, to the exclusion of the rest, represented a strategic weakness in the legislation.

The title of the 1968 Countryside Act, and the transformation of the National Parks Commission into the Countryside Commission with wider powers, might have suggested that a new approach to the whole rural landscape was imminent. In fact the specific measures which the Act brought forward for the countryside at large were really quite modest and mainly concerned with seeking to relieve recreation pressures on sensitive areas, like the national parks, by creating alternative honey pots - country parks and picnic sites - to draw the crowds away. So while the new Commission had a broader remit than its predecessor, it had a rather limited landscape role outside the designated areas. Although, as we shall see, it exploited this in later years, for the first few years of its life it was much more concerned with recreation than landscape management (for example, at the outset its funds largely went to country parks, and its first technical publication was about how to charge for parking in the countryside).

### The use of 'natural beauty' as the central concept

The idea of "natural beauty" was central to the 1949 Act. The term was intended to be interpreted broadly (Holdaway, 2007), but its meaning has had to be clarified several times. Thus in 1949, natural beauty was to be construed as "including references to the preservation of the characteristic natural features, flora and fauna thereof". The 1968 Act substituted the more realistic word "conservation" for "preservation", and added "geological and physiographical features" to the definition. Following the High Court judgment in the Meyrick case (given on 3 November 2005), which arose over a dispute concerning part of the boundaries of the New Forest National Park, the Natural Environment and Rural Communities Act (2006) expanded the term even further to make it clear that land used for farming, parkland etc. could also be treated as aspects of natural beauty<sup>4</sup>.

It can be argued that the term 'natural beauty', as well as requiring several clarifications, has not served the cause of conservation well. The words used together are inaccurate: there is nothing natural about much that we regard as beautiful in the English landscape: for example, except that they are built of stone, the walls and villages of the Cotswolds AONB are wholly man-made; and even the heather moors of the Pennines etc. are a human artefact. And while, of course, beauty is an important part of what humans hold to be valuable, and threats to it often motivate action, it comes with a lot of baggage. Too often it is seen as less important than the 'real' concerns of people, and nearly always the loser in debates that are cast in terms of "jobs v. beauty". It is a word that cannot be quantified or measured; and since it is in the 'eye of the beholder', its essence is subjective, and therefore it is hard to get agreement about it. It implies an aesthetic or cosmetic view of the environment – essentially, what it looks like – which may seem secondary to how it functions. And the word, fairly or otherwise, has

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<sup>4</sup> The wording of Section 99 of the 2006, NERC Act really hammers it home: "The fact that an area in England or Wales consists of or includes—land used for agriculture or woodlands, (b) land used as a park, or (c) any other area whose flora, fauna or physiographical features are partly the product of human intervention in the landscape, does not prevent it from being treated, for the purposes of any enactment (whenever passed), as being an area of natural beauty (or of outstanding natural beauty)".

elitist connotations whose roots in the context of the appreciation of landscape may be traced back to Wordsworth's references to "persons of pure taste".

One can argue that a better word, with rather fewer difficult associations, would have been 'landscape'. Yet this term does not appear at all in the 1949 Act. Indeed it was never used in any countryside legislation until the 2006 NERC Act, which declared that landscape conservation and enhancement were to be a general purpose of Natural England (section 2(2)). Perhaps that is just as well, as the full significance of landscape has only emerged in recent years – as will become clear.

#### The special status accorded to farming and forestry

The fourth strategic shortcoming in the 1949 Act was its assumption that the land users, farming and forestry in particular, were essentially benign forces as far as landscape and wildlife were concerned, whether in the protected landscapes or elsewhere. Therefore they could be safely left outside the scope of planning control. Thus the fate of much of the landscape, wildlife and historic heritage was left to the decisions of land owners and land managers with virtually no external control, support or guidance to persuade them to take environmental considerations into account. We know now what happened: supported through government (and later EU) incentives, modern agriculture became what the Environment Minister, William Waldegrave, memorably called "the engine of destruction" in the countryside<sup>5</sup>, leading to well documented losses of landscape, nature and historic heritage on a huge scale. The 1968 Act had very little effect on these forces.

The ploughing of Exmoor in the late 1970s was the first of a series of crises over egregious examples of agriculture rampant operating unconstrained in sensitive landscapes. The response in the Wildlife and Countryside Act of 1981 was a modest, essentially voluntary system designed to buy off the demand to intensify production by compensatory payments to farmers for the income they would forego if they desisted. But this did not stem the pressures. Threats to drain the Somerset Levels arose a few years later, and were soon followed by plans to convert the grazing marshes at Halvergate (in the Broads) to barley fields. Fortunately these coincided with growing concern over food surpluses, creating a new climate in which the demands of agriculture had to be balanced against other interests. As we shall see, new schemes, forerunners of the present agri-environmental measures, were then introduced and the tide of destruction began to recede.

For many years coniferous afforestation of the uplands was a constant source of conflict with landscape and wildlife interests. Though the pressures had largely declined in England by 1970, and a little later in Wales, they continued in Scotland. It was only when the conservationists' ire about the damage done to unique peat habitats of Scotland's Flow Country coincided with the distaste that the Chancellor of the Exchequer, Nigel Lawson, felt about tax subsidies, that the fiscal support given for coniferous afforestation came to an end in 1988.

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<sup>5</sup> Quoted in Hansard by Lord Melchett, 17 May 1985, column 1353.

### Conservation v. recreation and access

The 1949 Act also set up a potential conflict between conservation of landscape and the enjoyment of landscape in national parks. Thus it gave the parks a duty both to preserve and enhance the area's natural beauty, and to promote its enjoyment by the public, but it did not indicate how tensions between the two should be resolved.

As the period of post-war prosperity took hold and private car ownership grew, the tide of leisure – Michael Dower's fourth wave (Dower, 1965) – swept across the countryside: traffic congestion, erosion of footpaths and crowds in sensitive locations were increasingly seen as in conflict with the purposes of protecting the national parks and AONBs, and indeed with conservation in general. These concerns were heard at a series of conferences, the Countryside in 1970 events (RSA, 1970). Out of these came the Countryside Act, 1968. Through the eventual creation of about 400 or so places called country parks, the 1968 Act probably did help to take some of the pressures off national parks and their landscapes, but the tensions between the two purposes were hardly diminished. The review of national park policies undertaken by Lord Sandford's committee (DOE, 1974) urged that the 1949 Act be amended to make clear that the enjoyment of the parks was to be “in such manner and by such means as will leave their natural beauty unimpaired for the enjoyment of this and future generations” (DOE, p. 54). Although the Government endorsed this in its circular 4/76, it took until the 1995 Environment Act to get this so-called ‘Sandford principle’ formally enshrined in legislation. Valuable as the principle may be, it applies only in national parks (and now to the two AONBs where Conservation Boards have been set up). It also applies only to the potential conflict between the first and second duties of national parks and has no standing in relation to – say – conflicts between conservation and other kinds of economic development.

### AONBs – first or second class landscapes?

The 1949 Act appeared to accord a second class status to AONBs. The relevant powers in the Act are to be found in just two sections. While the designation process was similar to that for national parks, the way that AONBs were to be run was largely left to the discretion of the local authorities, and no funds were made available for their protection. The Countryside Commission and the Countryside Agency did as much as they could to give the AONBs greater standing, and to steer modestly more resources in their direction, but had to work within a weak legislative frame. Bearing in mind the strategic importance of many of the AONB landscapes, and that overall the AONBs cover roughly twice the area of the parks in England, it would seem that the AONBs were the Cinderellas of the protected landscapes family. It was often said – for example in planning circulars – that AONBs and national parks were equally important in landscape terms, it was only with the measures introduced in the 2000 Countryside and Rights of Way Act that an attempt was made to strengthen the standing of AONBs (though their funding base remains much weaker).

## **Putting right the shortcomings - the work of the Countryside Commission**

So, while the 1949 Act was most certainly a monumental achievement, the history of landscape conservation over the following 60 years might be characterised as one of rectifying its shortcomings, and making good its limitations. In this story - though doubtless the author's bias shows through - the work of the Countryside Commission between 1970 and 1990 was central. Working with many others of course, it laid the foundations for a major change in how we regard landscape and which is now reflected in the principles of the European Landscape Convention.

After its initial pre-occupation with the novel challenges of country parks and recreation, the Commission began to raise its sights above the leisure agenda and concern itself also with issues of landscape. Five strands of work can be identified:

*Looking beyond the designated countryside:* the Countryside Commission had specific responsibilities for an oversight of the protected landscapes, but a very general role in the countryside as a whole. Its research and experimental powers (Sections 2 and 4 of the 1968 Act) were invaluable in this regard. Much of the Commission's pioneering work in non-designated countryside was achieved through these powers, working in the urban fringe (a concept that the Commission promoted), in other neglected areas of countryside whose landscapes were in decay (see the forests initiatives below), in areas that had been farmed intensively (see below) and in many other places with distinctive landscape character. Not at first but after a few years, the Commission came to champion the landscape of England (and Wales) as a whole and to look beyond the areas designated under the 1949 Act.

*Wrestling with the impacts of modern farming on the landscape:* a core piece of work was the New Agricultural Landscapes project, which began in 1972. This used pilot areas to look at what modern farming was doing to the landscape. Its conclusions were bleak: without active planning and management of the landscape, the maximisation of agricultural production, driven forward by a policy of "agricultural fundamentalism"<sup>6</sup>, would continue to cause the loss of landscape, wildlife and historic heritage. 11 years later, a follow-up study recorded a further loss of landscape character, but by 1994 there were signs of a more positive attitude amongst farmers and of better practice (Westmacott and Curry, 1994). This monitoring and analytical work was linked to demonstration and promotional efforts designed to show how modern farming and conservation could co-exist, such as the Countryside Commission-supported demonstration farms, and the Commission's support for the Farming and Wildlife Advisory Group. Later, financial incentives were introduced: a notable example was the pioneering grazing marshes scheme in the Halvergate Marshes which was launched in March 1985 by the Commission, with MAFF and Broads Authority support. It aimed to provide an alternative to the ploughing of grazing marshes for cereals (see above). The success of this experiment encouraged the European Commission to develop the ESA programme, which the Countryside Commission, working with MAFF, the Nature Conservancy Council and

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<sup>6</sup> This phrase was coined by Prof. Gerald Wibberley of Wye College (1915-1993), a notably effective critic of agricultural policies that ignored the other values in the farmed countryside.

English Heritage, helped to roll out nationally. The Commission went on to pioneer an innovative project to promote conservation and public access as part of the government's set aside scheme (the Countryside Premium scheme). Next it launched the broader the Countryside Stewardship programme for targeting agri-environmental work outside ESAs, which formed part of the Environment White Paper published in September 1990. All this work laid the foundations for the agri-environmental schemes with which we are familiar today.

*Introducing the idea of countryside, and landscape, management:* the Commission, through its first Director, Reg Hookway, actively promoted the idea that the countryside landscape did not just need to be protected through strong planning policies; it also needed to be managed. Beginning with modest experimental schemes in parts of the Lake District and Snowdonia (1968-1971), the Commission went on to test this countryside management approach in the urban fringe, coastal and other areas. Each scheme had a project officer with a budget to carry out small landscape schemes in partnership with land owners and managers. By 1980 or so, the countryside management approach had taken off and was being adopted much more widely, often with the help of the Commission's grant aid. Today it is mainstreamed: many local authorities and other bodies employ staff to run countryside management programmes, which have expanded greatly in scope and ambition since the pioneer days. An important new source of funding for this work is the Heritage Lottery Fund's Landscape Partnership Programme, which currently supports 36 schemes which embody countryside management principles, each based on distinctive landscape character areas<sup>7</sup>.

*Creating new landscapes entirely:* the Commission's boldest landscape projects were those launched through its forest policy statement in 1987. Ten (later twelve) community forests were promoted around major urban centres, from Swindon to Tyneside, in partnership with the Forestry Commission. Not all of these have been wholly successful but overall they have helped alter our view of the urban fringe from a blighted, derelict zone around cities to a potentially attractive treed landscape setting that large numbers of people can enjoy. Even more ambitious has been the National Forest scheme covering 200 square miles in the English Midlands. When the project team was set up in 1991, 6% of the land in the National Forest was under trees; now it is 18% and the forest landscape has become a reality. There is no more ambitious scheme in Britain which is investing in a landscape of the future.

*Trying to understand landscape better:* the absence of a common language around landscape was a concern for the Commission. It funded an abortive research project at Manchester University into the evaluation of landscape between 1971 and 1974, but concluded that describing the value of landscape through an objective technique of measuring the number and size of its features was a blind alley (Robinson et al., 1976). The Commission then abandoned research in this field, but some years later its AONB designation programme ran into major difficulties when the North Pennines designation was the subject of a public

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<sup>7</sup> The Heritage Lottery Fund's (HLF) Landscape Partnerships scheme is a grant programme offering grants of between £250,000 and £2 million for schemes which aim to conserve areas of distinctive landscape character throughout the UK. The programme supports schemes that provide long-term social, economic and environmental benefits for rural areas. Annually some £8-£10 million is committed by HLF to LPs.

enquiry in October 1985. Challenged to explain why the landscape was considered beautiful, the Commission had to admit that it relied on the judgment of members of staff. No objective or agreed assessment methodology had been used: and “it is beautiful because we say it is beautiful” was a poor defence! Spurred on by this embarrassment, the Commission initiated a programme of work to clarify the basic concepts relating to landscapes, to develop the techniques of landscape analysis and characterisation, and to apply these methods to designated and other countryside. It was supported in this work by leading academics, such as Prof. Carys Swanwick of Sheffield, and leading consultancies<sup>8</sup> who pushed back the frontiers of knowledge and understanding. The Commission’s AONB landscape description series helped to develop the techniques and promote their wider understanding. Local authority contributions include the innovative Warwickshire landscape analysis study of 1988-1991.

Nationally the work has gone through several stages. Initially the Countryside Commission promoted a Countryside Character Programme, taken forward by the Countryside Agency. The agency co-operated with English Nature – which had been developing its Natural Areas programme separately - in defining the so-called Joint Character Areas as the building blocks of the Character of England map (1996), so bridging some of the divide between the two cultures which was created in the 1949 Act. English Heritage was also a partner in this work. Finally the Countryside Agency worked with Scottish Natural Heritage, and produced joint guidance in 2002 (with related topic papers) (CA/SNH, 2002) on landscape character assessment (LCA)<sup>9</sup>.

Today there is a national landscape classification system in the form of Natural England’s system of 159 National Character Areas. This is developed into greater detail in many county and local LCA projects, largely following the national guidance. The Landscape Character Network provides professional support for this work. There is also agreed terminology on key words and phrases like ‘landscape evaluation’, ‘landscape type’, ‘landscape character’, ‘landscape character assessment’ and the related area of work: ‘historic landscape character assessment’. As a result, decision-makers now have access to far better information about landscape than was available only 20 years ago. This provides a much firmer basis for policy decisions, planning control and agri-environmental schemes<sup>10</sup>.

Standing back from this account, one can see that in the years since the 1949 Act, and especially since about 1980, a number of key concepts have become established:

- There is a far better understanding of what landscape is. It is not the same as scenery, but is better thought of as a meeting point between people and nature, past and present, and tangible and intangible values. There is also a better appreciation that individual landscapes are distinctive places with common attributes; and that people

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<sup>8</sup> Those involved in preparing the AONB landscape description series included Land Use Consultants, Cobham Resource Consultants, Chris Blandford Associates, Woolerton Dodwell Associates, CEI/Manchester, Rebecca Warren and Valerie Alford, Nicholas Pearson Associates, Woolerton Truscott, Derek Lovejoy Partnership and Landscape Design Associates.

<sup>9</sup> Currently under review by SNH and Natural England.

<sup>10</sup> For a fuller account of the history of LCA, see Topic Paper 1 by Prof. Carys Swanwick (2002), published to accompany the CA/SNH guidance.

must be at the heart of our engagement with landscapes. There are now established methods of assessing landscape and identifying its character and describing its diversity. Moreover, the standing of landscape in public policy has been enhanced, especially following the UK's adherence to the European Landscape Convention.

- There is recognition that all landscapes matter. Special measures of protection are needed of course for areas that are especially important in landscape terms, but the idea that everywhere matters – a cause advocated by Common Ground, for example – has taken root. It is not an argument for preserving everything but a plea for respecting the diversity of landscape, and the importance of local landscapes to people who live within them. It also means acknowledging that landscape is found in and around towns as well as in the deeper countryside. This is a very democratic corrective to that faintly elitist view about places of great natural beauty that should be protected for people of pure taste to enjoy.
- Finally, it is recognised that landscape is not only a resource that needs to be protected, but also one to be managed and sometimes created. That message was often difficult to put across in the past, especially when farming was allowed to operate outside the scope of public policy in the environment. But the public interest in what happens on privately owned land had now been accepted in all sorts of areas (e.g. pollution control), and through agri-environmental schemes has been accepted in the landscape (and biodiversity and heritage) areas too. In recent years, the development of green infrastructure projects, the success of schemes like the National Forest and the promotion of landscape-scale habitat schemes (e.g. the National Trust's Wicken Fen scheme and similar projects by the RSPB and several Wildlife Trusts) all make the creation of new landscapes a more attractive and attainable prospect. On top of this, climate change is creating the need for dynamic environmental responses – revived flood plains, upland re-wetting, ecological corridors, species re-introductions and larger areas of woodland, for example – which will be major factors shaping a new, more resilient landscape for the 21<sup>st</sup>. century.

### The European Landscape Convention

The above account shows how far ideas about landscape have changed over the past 60 years. Such developments helped to put the UK at the forefront of thinking in this field in Europe. When the Council of Europe began to give shape to the European Landscape Convention (ELC), which was signed in October 2000, it drew disproportionately from UK experience, in areas as diverse as the protection of lived-in landscapes, countryside management, agri-environmental schemes, the recovery of despoiled landscapes and landscape character work<sup>11</sup>.

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<sup>11</sup> The non-legal text of the Convention was drafted by Prof. Michael Dower, former Director General of the Countryside Commission. The drafting committee was chaired by Roger Clarke, former Director at the Countryside Commission.

So it comes as no surprise to find that many of the key concepts in the ELC echo those that has been emerging in England in the previous twenty of thirty years. The definition of landscape as “*an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors*” (Article 1) is precisely that holistic concept that had come to be accepted in the UK. The message that all landscapes matter reflected the direction of thinking that had been under way for many years and captured the democratic idea that everyone has a right to be concerned with what happens to their own landscape and to be involved in decisions affecting it. Finally the Convention explicitly identifies three key actions required to implement the convention’s aims as landscape protection, landscape management and landscape planning (creation) – exactly the UK experience.

Indeed the only surprising fact about the UK’s adherence of the UK to the Convention in 2007 was that it took so long, but since then there has been a very welcome enthusiasm on the part of Natural England in particular to promote its implementation. The agency’s leadership in championing the ELC is helping to establish ever more strongly the principles about landscape that have emerged in recent years.

### Some questions

The ELC is indeed a most welcome development that puts the seal upon much of the effort in the landscape field over many years. But it raises as many questions as it answers. The most challenging are these:

- What does “all landscapes matter” really mean? Does it imply that all landscapes are equally important? Or does it mean that they are important in different ways? How can one reconcile such a general idea with the need to give some areas special measures of protection? Can one justify this comprehensive approach when funds for landscape work are in short supply? Is the idea likely to be co-opted by Nimbies as a covert way to resist any change in the landscape?
- Is the lay confusion over the meaning of landscape really resolved, when it would seem that many people still think of it as scenery – just that which we look at? And can the open-ended nature of the ELC definition be made operational? For example, would it stand up under the forensic critique it might receive at a public enquiry?
- Is the professional confusion over the meaning of landscape really resolved? Can those who view landscape through a natural science, an historic, a geographic or an aesthetic view perspective really find common ground? Can they share the same ideas about landscape and be persuaded to abandon their territorial comfort zones? Most tricky, how can the “landscape scale” approach to conservation of biodiversity be reconciled with – or is it integrated with? - the holistic view of landscape as endorsed by the ELC?
- The ELC requires that landscape should feature in national legislation. The UK has argued that this is in effect covered by the planning acts and the 1949 Act and its successors. Will that claim survive a challenge in the courts? Will the absence of a

specific landscape law become a problem in implementing the ELC? Is there a need for a UK or English landscape law?

- There is much current enthusiasm among professionals over the creation of new landscapes that are more resilient in a period of climate change etc. This idea is in line with the principles of the ELC too. But it is often hard to generate public enthusiasm for any change in the landscape (and only too easy to whip up opposition to landscape change). So how can we make the creation of new landscapes as exciting to the public as it is to the professionals?
- An important idea in the ELC is that of defining “landscape quality objectives”, that is being explicit about what kind of landscape society wants for the future. How can those decisions be arrived at? And how can these objectives be secured? Will they enable us to maintain – or even recover - a diverse landscape?
- How do we reconcile landscape work with related concepts, such as the ecosystem approach and the provision of ecosystem services, and inject it into parallel work, such as the Water Framework Directive? Do we have the confidence and political support to make landscape issues central in the shaping of spatial strategies, agri-environmental schemes, climate change strategies, coastal plans etc.?

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