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## **On the Meaning of Natural Beauty in Landscape Legislation**

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### **Abstract**

The term 'natural beauty' has been an important criterion for designating and managing fine landscapes in the UK and elsewhere. However, its meaning has been assumed to be self-evident and has never been officially defined. Latterly, this has become problematic in relation to more critical contemporary understandings of 'natural', and legal challenges to the use of the term in practice. Based on an analysis of the antecedents to legislation for the protection of natural beauty, and of subsequent efforts to analyse and describe fine landscapes, this paper considers the contested use of 'natural beauty' in current landscape policy. It proposes an extended meaning for the term which is consistent with the intentions of the original legislators.

Keywords: natural beauty protected landscapes landscape character national parks  
landscape legislation

### **Introduction**

The concept of natural beauty is one of the cornerstones of legislation to protect landscapes in the UK. The term “natural beauty” has existed formally in legislation for England and Wales since the 1949 National Parks and Access to the Countryside Act, and has parallels in the Northern Ireland 1965 Amenity Lands Act and 1985 Nature Conservation and Amenity Lands Order, whilst the Natural Heritage (Scotland) Act 1991 includes “natural beauty and amenity” within its definition of natural heritage. The significance of the concept extends well beyond the UK, and has more general implications for ‘protected areas’ which fall into IUCN Category V protected landscapes/ seascapes<sup>i</sup>, and which are predominantly ‘cultural’ rather than ‘natural’. The beauty of such places cannot be natural in the strict sense, and this paper explores the current meaning and use of the term in relation to the designation and management of protected cultural landscapes.

The 2004 review of the National Park Authorities in Wales commented<sup>ii</sup> that *“the breadth of the term ‘natural beauty’... is not well understood by all those who take decisions affecting National Parks.”* As a result the Welsh Assembly, in its National Park Review Action Plan, asked the Countryside Council for Wales (CCW) to produce a statement on the full scope of ‘natural beauty’. This paper arises from research undertaken for the Countryside Council for Wales to produce such a statement.

Although the term ‘natural beauty’ initially seems uncontroversial, in practice it has had to serve as a vehicle for successive trends in landscape planning, and its implicit meanings have been stretched to the point where its continued policy and legal fitness is questionable. Equally, however, it is associated with much policy and legal precedent, and is a widely used and familiar phrase without an obvious alternative. In order to explore its continued suitability as a basis for planning fine landscapes, this paper examines it from four perspectives. First, we consider the theories and concepts which have underpinned natural beauty, ranging from

aesthetic arguments to more utilitarian justifications. Second, we explore the origins of natural beauty as an official term, noting the evolution from high culture, preservationist discourses to more instrumental arguments about town planning and nature conservation, and from which 'natural beauty' eventually prevailed amongst legislators as the preferred shorthand expression. Third, we identify how the term evolved during the latter half of the 20<sup>th</sup> century, as advances in landscape planning required a fuller articulation of the qualities that were to be protected or enhanced within fine landscapes. We also consider the sifting of the term in public inquiries, noting in particular its contested meanings between different parties. Finally, we report on a stakeholder consultation which debated the continuing value of the term as an axiom of landscape protection, management and planning. At present, the UK is heavily relying on 'natural beauty' legislation as a basis for complying with the European Landscape Convention<sup>iii</sup>, stretching its original intentions yet further. It is clear that natural beauty is a dynamic and malleable concept, potentially posing problems for consistency of interpretation, and yet apparently retaining a continuing relevance.

## **Concepts and Theories Underpinning Natural Beauty**

Whilst there is little scholarly literature on natural beauty *per se*, cognate landscape topics are well represented in the literature, reflecting a long-standing interest in the nature of aesthetics and the inspirational qualities of beautiful countryside. The body of theory on aesthetics relates to several categories of object including the natural environment, whilst there have been extensive debates about closely related concepts such as 'sublime', 'picturesque' and 'wilderness'. Latterly, many researchers have investigated links between the landscape and human wellbeing. All of these offer some convergent ideas, although their differences create problems in agreeing a durable definition of natural beauty. Perhaps the most fundamental difficulty in interpreting natural beauty is that the term appears generally to have been

assumed, by its originators, to be obvious and self-explanatory. However, as Appleton<sup>iv</sup> has observed, the discussion of natural beauty is often discipline specific and highly subjective.

For example, within philosophy (particularly the study of aesthetics), the early 18<sup>th</sup> Century debate led by Shaftesbury<sup>v</sup> and Burke<sup>vi</sup> centred on the distinction between beauty and the sublime. These two notions were deemed opposite ends of the emotion spectrum – sublime being related to vistas that evoked reverence, fear and horror, and beauty being associated with feelings of pleasure from gazing on a smooth, delicate and lovely scene. Both beauty and the sublime provoked a passion related to the view, although they were difficult to reconcile as one was founded on pleasure and the other on pain. The literature and fine art of the Romantic Movement – for example, writers such as Gilpin<sup>vii</sup> and Price<sup>viii</sup> - introduced a category of 'picturesque', which was used to describe a scene that was not delicate and smooth but had interesting sharp angles, variety and, often, ruins as an allusion to human 'fall' and the capacity of nature to regain ownership of a landscape. Wordsworth's *Guide to the Lakes* published in 1810 reflected these picturesque sentiments in chapters on the forms and colourings of natural features, and charms and character evolved from human inhabitation<sup>ix</sup>. This predominantly European standpoint contrasted with the "wilderness concept" that emerged in response to the exploration of Northern America and the New World in the 19<sup>th</sup> Century. Reports of the scenery were in no way romantic or picturesque and wilderness encapsulated areas with a primeval character and minimal anthropogenic influence<sup>x</sup>. The observer was still interested in the aesthetics of the scene but perhaps more so in the transcendental experiences and spiritual feelings it evinced.

Other writers have looked more synoptically at the properties of beauty, and provide insight into its defining attributes. For example, in the 18<sup>th</sup> Century, Hogarth's<sup>xi</sup> analysis was instrumental in addressing the problem of pure subjectivity, arguing that beauty should be related to principles of fitness, variety, uniformity, simplicity, intricacy and quantity. Bell<sup>xii</sup> draws

attention to the contributions of Schopenhauer – who suggested that natural beauty relates to the spirit of the place (*Genius loci*) where distinct features fit together well – and Whitehead – whose analysis of aesthetics incorporated ‘massiveness’ (variety of detail with effective contrast) and ‘intensity proper’ (magnitude and scale). More recently, Carlson<sup>xiii</sup> has sought to explain aesthetic experience of landscape in terms of both multisensory ‘engagement’ and ‘cognitive’ understanding of its nature, potentially leading to preferences for landscapes where there appears to be a ‘functional fit’ between human interventions and the natural environment.

The study of aesthetics, in which the response is perceptual rather than rational and factual, and where the observer passively viewed the landscape and judged its looks according to contemporary rules, prompts a subjectivist paradigm in which the beholder rather than the object determines the aesthetic. As noted, this view dominated before and during the 19<sup>th</sup> century, and Lothian<sup>xiv</sup> argues that it has a continuing relevance to landscape appreciation. Budd<sup>xv</sup> and Brady<sup>xvi</sup> have considered aesthetics in relation to ‘nature’ and the environment, and they concentrate principally on providing a critical understanding of what aesthetic appreciation of nature involves. Whilst neither sheds particular light specifically on what might be meant by the ‘natural beauty’ of the countryside, Brady<sup>xvii</sup> does assemble categories of aesthetic qualities (such as ‘sensory’ and ‘symbolic’) which have distinct resonance with the properties frequently ascribed to human reactions to landscapes.

During the past twenty years or so, there has been an empirical trend towards demonstrating how (positive) landscape attributes are linked to human preference and wellbeing. Whilst these are separate issues – the former relating to aesthetic appreciation based on recordable features and the latter providing a more instrumental justification for landscape interventions – they overlap extensively in practice. For example, many papers describe how research

participants consistently choose natural or semi-natural landscapes relative to those with many urban features (Van den Berg *et al*<sup>xviii</sup>; Herzog *et al*<sup>xix</sup>; Staats *et al*<sup>xx</sup>; and Ulrich<sup>xxi</sup>). Kaplan<sup>xxii</sup> asked a large sample of residents what visual preferences they had from their windows and those with numerous natural elements such as trees and flowers reported tranquillity, peace and more positive thinking. Williams and Harvey<sup>xxiii</sup> describe the transcendent experiences amongst a group of visitors to a forest, notably, feelings of the sublime, individual insignificance, awe and relaxation. Fredrickson and Anderson<sup>xxiv</sup> analysed the accounts of female trekkers' experiences of the Grand Canyon and northern Minnesota, and recorded diverse emotions from a sense of infinitude to renewal of strength and capability. Real *et al*<sup>xxv</sup> related expressed landscape preferences to models of human behaviour, particularly those based on psychophysical and cognitive paradigms, and also confirmed that natural beauty may have demonstrable positive effects on physical and mental wellbeing.

Ulrich *et al*<sup>xxvi</sup> investigated the effect of showing volunteers a distressing film and then following this with a film of an urban scene or a film of the natural environment. They found that both psychological and physical signs of stress reduced quickly and effectively when people looked at a scene of trees, lakes or meadows. Similar experiments were carried out by Van den Berg *et al*, Herzog *et al* and Purcell *et al*<sup>xxvii</sup>, with comparable results. Staats and Hertig<sup>xxviii</sup> confirmed the restorative effects of group and solitary landscape experiences, whilst Mitchell and Popham<sup>xxix</sup> have shown that exposure to green environments can significantly mitigate socioeconomic health inequalities. Harmon<sup>xxx</sup> proposes that appreciation of natural beauty is basic to human nature, and thus has therapeutic and enriching effects on intellectual, psychological, emotional, spiritual, cultural and creative faculties. Martinez<sup>xxxi</sup> illustrates how ancient languages define landscape and wilderness as etymologically linked to terms for health, wholeness and liveliness. Thus, landscape beauty may have a "restorative" effect – for instance, Fredrickson and Anderson<sup>xxxii</sup> consider how beauty can provide personal benefits such as improved health, psychological well-being and an improved self image. Similarly, Williams

and Harvey<sup>xxxiii</sup> identify 'psychodynamic' properties where people derive spiritual power from natural features and a sense of place and familiarity with a favourite spot, often combined with the performance of activities and rituals in beautiful areas that have personal meaning. Purcell *et al*<sup>xxxiv</sup> suggest seven categories of psychologically restorative landscape values, namely, 'being away', 'coherence', 'compatibility', 'fascination', 'scope', 'familiarity' and 'preference'. Interestingly, whilst these may occur in isolation, they often occur in combination in areas deemed to possess natural beauty.

There is a further argument over whether certain landscape types are intrinsically capable of evoking 'positive' responses in the beholder as a result of our evolution in particular environmental settings, or whether these reactions are merely culturally determined. Notably, some researchers have argued for a systematic, cross-cultural preference for landscapes that evoke our evolutionary cradle, the African savannah. Thus, Appleton<sup>xxxv</sup> has famously related the attractiveness of landscapes to their opportunities for providing 'prospect and refuge', whilst Kaplan has linked preference to properties such as complexity, coherence, mystery and legibility<sup>xxxvi</sup>. Orians<sup>xxxvii</sup> proposed that a range of patterns, rather than individual features, were more likely to determine perceived landscape beauty. The line of enquiry that relates preference to biology and evolution is closely associated with theories of *biophilia*<sup>xxxviii</sup> (innate affinities between people and nature), and *topophilia*<sup>xxxix</sup> (between people and place, including the cultural landscape).

Whilst not necessarily undermining the statistical and deterministic basis of landscape preference, it is clear that societies and cultures do vary in their assessment of the relative beauty of different landscapes. Botkin<sup>xl</sup> has identified discernible changes in what people believe to be attractive over time; when confronted with natural beauty, people have also revealed their artistic sensitivity and educational background. In a similar vein, Ribe<sup>xli</sup> found systematic differences between people who innately favour protected landscapes and those

who see land as a basis for production. Hence, Parsons and Daniel<sup>xlii</sup> emphasise how scenic aesthetics can be considered superficial and socially malleable, suggesting that acquired characteristics rather than inherited ones are pre-eminent. It is also interesting to speculate, particularly in the light of current policy imperatives for a more 'inclusive' basis to countryside enjoyment, that ethnicity may also influence preference – e.g. Purcell *et al's*<sup>xliii</sup> finding that Australian interviewees ranked certain hillside landscape adversely because of their cultural association with depressed rural areas, Yang and Brown's<sup>xliiv</sup> evidence on preferential enjoyment of the Japanese landscape, Kohasaka and Flitner's<sup>xliv</sup> evidence on nationally variable perceptions of economic or romantic qualities attached to wooded landscapes, and Zube and Pitt's<sup>xlvi</sup> findings regarding differential preferences for anthropogenically influenced landscapes between American ethnic groups.

In summary, therefore, it is clear that natural beauty is far from the straightforward term suggested by the legislation, lacking a precise definition or defining set of attributes. Indeed, there are sharp differences between sublime, picturesque or 'wilderness' landscapes, all of which could be deemed by some observers to epitomise natural beauty. Nevertheless, there is a strong case that beauty is explicable in terms of theories of aesthetics, and that the 'natural' world can comprise a distinct category of the 'aesthetic'. Further, there appear to be recurrent terms which are applicable to beautiful landscapes; these properties appear to be widely appreciated, both consciously and subliminally, in ways that may be experimentally confirmed.

Equally, there is a probably unresolvable debate about the relative significance of biology and culture, but both are clearly important. The influence of culture means that natural beauty will inevitably be a dynamic concept, related to a prevailing consensus on what people consider to be aesthetic and important to human wellbeing. Yet it is not entirely fluid, and many qualities appear to be consistently recognised across time and place. We now turn to the ways in which natural beauty has been interpreted officially, before offering our own distillation. Recognising



that natural beauty is a complex notion, we examine how it became adopted as a simple legal phrase fit to cover a variety of situations.

### **The Origins of “Natural Beauty” as an Official Term**

In England and Wales, the watershed legislation which enshrined the concept of ‘natural beauty’ was The National Parks and Access to the Countryside Act 1949, which emerged following half a century of debate, lobbying and examination by official government committees. The antecedents go back much further and the term grew out of a rich tradition of appreciating the natural realm from an aesthetic point of view and promoting its protection.

Whilst the attempts during the 18th century to search for an all embracing theory of landscape beauty are now recognised as somewhat crude and pompous, Appleton<sup>xlvii</sup> suggests that they contained the germs of subsequent, more credible ideas. Importantly, the ‘cult of the Picturesque’ and, to an even greater extent, the 19th century Romantic Movement (notably writers such as Wordsworth, Coleridge, Sir Walter Scott, Keats, Shelley and the Brownings, and painters such as Turner and Constable) had a seminal influence on attitudes to landscape and shaped the thinking of the early conservation movement. The preoccupation with landscape as scenery and a somewhat escapist emphasis on aesthetics, picturesque views and a Romantic construction of nature, were pre-eminent in influencing legislation.

Moves to preserve the British countryside were born in the Victorian era and, according to Bunce, reflected the tripartite interest of: the protection of nature; enjoyment of fresh air, open space and scenery; and preservation of national heritage. The nature movement spawned numerous local botanical societies and field clubs by the 1880s and a number of national bodies, including what is now the Royal Society for the Protection of Birds. Although somewhat separate from the protection of beauty, much of the early nature conservation

movement was in fact motivated by the aesthetic and psychological benefits of nature. This movement was also linked to the growth of rambling as an activity and it is interesting to note that a group known as the Sunday Tramps reputedly included the historian G M Trevelyan (whose influence is noted below) amongst its leaders.

"Natural beauty" first appeared as a formal phrase in the legislation in the 1907 Act to establish the National Trust for Places of Historic Interest and Natural Beauty. The Act refers to the Trust's purposes as "the preservation for the benefit of the nation of lands and tenements (including buildings) of beauty or historic interest and as regards lands for the preservation ... of their natural aspect features and animal and plant life". It thus appears to connect natural beauty with wildlife as well as with natural aspect and features, but no further definition of the term was provided. The Trust was born out of the Victorian heritage movement, which was particularly linked to the Romantic Movement and especially to the anti-industrial philosophies of William Morris and John Ruskin. For example, Morris wrote eloquently of the beauty to be found in nature and, according to Angus Taylor<sup>xlviii</sup>, believed that *"human well-being cannot be divorced from the well-being of the natural environment"* and *"Everything made by man's hands has a form which must be either beautiful or ugly; beautiful if it is in accord with Nature, and helps her, ugly if it is discordant with nature and thwarts her"*. His writings give a clear view of beauty in nature as the antithesis of urbanisation and industrialisation. Ruskin was similarly condemnatory of industrialisation, and expressed nostalgia for the harmonious peasant culture of earlier times. These two leading thinkers had a significant influence on their contemporaries, Robert Hunter and Octavia Hill, who in 1884 initiated the idea of a trust to preserve important land and property, eventually to become the National Trust. Octavia Hill was indeed a pupil and devoted follower of Ruskin and, with her sister, established the Kyrle Society to promote 'beauty'. She wrote an essay entitled 'Natural Beauty as a national asset' arguing that access to beauty was an essential of life, like food, clothing, or shelter<sup>xlix</sup>.

As the conservation movement established itself, and growing numbers of people were able to gain access to the countryside, rural nostalgia continued during the Edwardian period and in the inter-war years. During this period, the first planning legislation emerged, whilst the need for protection of rural landscapes became a pressing issue. Four leading advocates sought the appreciation and protection of rural landscapes – Vaughan Cornish, G. M. Trevelyan, Clough Williams-Ellis and Patrick Abercrombie – and all were linked, notably through the emergence of what would eventually become the Campaign to Protect Rural England and its equivalents in Wales and Scotland. Further, they played important roles in shaping the agenda for countryside preservation and National Parks up to and after the Second World War. They were involved in giving evidence to or sitting on the various official committees established and it seems clear that their views were influential: the legislative roots of "natural beauty" must, to a considerable degree, reflect their ideas and beliefs.

Vaughan Cornish (1862-1948) was a geographer who in 1920 attended an address by Sir Francis Young Husband, the explorer, who made a plea for geographers to turn their attention to serious consideration of the beauty of natural scenery. Thus inspired, he wrote a string of books and papers and campaigned for the preservation of fine landscape, often reflecting his own experiences - his book "Beauties of Scenery"<sup>i</sup>, for example, is a personal reflection about the nature of natural beauty in the British Isles. G. M. Trevelyan (1876-1962) can perhaps be most closely linked with the use of the phrase natural beauty in the period leading up to its inclusion in legislation, and his seminal paper<sup>ii</sup> remarked on the relationship between the increasingly conscious appreciation of natural beauty and its dwindling supply. He saw the natural beauty of the countryside as the inspirer and nourisher of science, religion, poetry and art, and urged its preservation in sufficient quantity to satisfy the thirst of the town dweller's soul. The architect Clough Williams-Ellis (1883-1978) was a leading figure in campaigns against the encroachment of development into the countryside, famously describing the tentacles of urban sprawl in 'England and the Octopus'<sup>iii</sup>. He also brought together concerns

about the effects of developments on other parts of Britain in his editing of "Britain and the Beast". Patrick Abercrombie (1879-1957) was an early town and country planner who, amongst other things, solicited support for the creation of a broad coalition to advance the cause of the countryside, which led to the creation of the Council for the Protection of Rural England (CPRE), of which Abercrombie was the first Honorary Secretary, followed two years later by the establishment of the Council for the Protection of Rural Wales (CPRW). In his planning work in the 1930s he introduced the "Abercrombian Landscape Survey" method, marking a more professionally focused departure from the personal and romanticised views of other luminaries.

The history of the National Parks and Access to the Countryside Act has been widely documented<sup>liii</sup>. In 1929 a National Parks Committee was established under the Chairmanship of Christopher Addison, with terms of reference *"to consider and report if it is desirable and feasible to establish one or more National Parks in Great Britain with a view to the preservation of the natural characteristics including flora and fauna, and to the improvement of recreational facilities for the people"*. According to Mair and Delafons<sup>liv</sup> the committee held 28 meetings and heard evidence from 34 groups of witnesses as well as receiving written representations – interestingly, the National Trust, Abercrombie and Vaughan Cornish were among the contributors.

The Committee's report in 1931 recommended various measures for preserving the countryside and specifically reflected the wording of Vaughan Cornish in places. It favoured a system of National Reserves and Nature Sanctuaries, in order, among other things, *"to safeguard areas of exceptional natural interest against disorderly development and speculation"* and *"to improve the means of access for pedestrians to areas of natural beauty"*. There are perhaps hints in these phrases of the later emergence of "outstanding natural beauty" in the legislation. No action was taken in response to the Addison report, but as a result of their lobbying of the

Committee, CPRE and CPRW together set up a 'Standing Committee on National Parks' of which Abercrombie was a member and which also included, among others, the National Trust. Trevelyan had been actively promoting the cause of the Trust, for example in a paper entitled "Must England's Beauty Perish" produced in 1926. In 1938 he turned his hand to National Parks and, in the foreword to the Standing Committee's pamphlet 'The Case for National Parks in Great Britain'<sup>iv</sup>, he wrote of "regions where young and old can enjoy the sight of unspoiled nature ... without vision the people perish and without sight of the beauty of nature the spiritual power of the British people will be atrophied".

The report of the Scott Committee on "Land Utilisation in Rural Areas", 1942, included an observation that the establishment of National Parks was long overdue. The report reflected on the countryside's close relationship with agriculture, observing that:

*"the landscape of England and Wales is a striking example of the interdependence between the satisfaction of man's material wants and the creation of beauty. .. Its present appearance is not by any means entirely the work of nature ...The land of Britain should be both useful and beautiful and that the two aims are in no sense incompatible... it must be farmed if it is to retain these features which give it distinctive charm and character."*

The Dower Report, published in 1945, was another vital step towards the legislation for National Parks. John Dower, related by marriage to the Trevelyan family, had been an advocate for National Parks throughout the 1930s and acted as drafting secretary for the 'Standing Committee on National Parks' paper on the case for National Parks. The Scott report emerged soon after he started this work and Dower was then asked to broaden his work to complete a much longer report on National Parks by November 1943. In his final report Dower defined the meaning of a National Park for Britain as:

*"an extensive area of beautiful and relatively wild country in which, for the nation's benefit and by appropriate National decision and action, (i) the characteristic landscape beauty is strictly preserved " .*

Dower's phrase 'characteristic landscape beauty' betrays the influence of the lobbying over the years by people like Trevelyan (beauty) and Cornish and Abercrombie (landscape character). Shortly afterwards, the Hobhouse Committee was appointed as part of the efforts directed towards post-war reconstruction. Many of its members had been on the Standing Committee, including Clough Williams-Ellis. The committee proposed 12 National Parks as well as a larger group of 'second order' conservation areas of high-value landscapes and habitats (subsequently 'Areas of Outstanding Natural Beauty'), whose designation as "*areas of high landscape quality, scientific interest and recreational value*" was seen as an essential corollary to the National Park proposals.

When the Act received Royal Assent in 1949, Section 5(1) set out the purposes of National Parks as including "the preservation of the natural beauty of an area", which Section 114(2) qualified by stating the "references in this act to the preservation of the natural beauty of an area shall be construed as including references to the preservation of the characteristic natural features, flora and fauna thereof". This was amended in 1968 to 'its flora, fauna and geological and physiographical features' and in addition the word 'preservation' was replaced by 'conservation'. Over the years Section 114(2) has been interpreted as a partial definition of the meaning of "natural beauty", in the sense that it makes clear that "natural beauty" includes these considerations, but is not restricted to them. Section 5(2) related to the designation criteria for National Parks, similarly referring to 'natural beauty' – however, as noted later, it is unclear whether s114(2) can be construed as relating to designation criteria, or only to planning and management purposes.

There is little evidence to indicate how the final phrasing of the 1949 National Parks and Access to the Countryside Act came into being. Cherry<sup>vi</sup> describes how a Secretary to the Ministry of Town and Country Planning in 1948 wrote an internal note about the then Minister's predilection for a National Commission to be established with responsibility for "*areas of natural beauty*". By the time that the Act received Royal Assent in December 1949 "natural beauty" had become the preferred phrase to express these ideas. Several other phrases had been used to convey the idea of important landscapes, for example, features of particular landscape importance or landscape value and rural areas of remarkable landscape beauty (Abercrombie) landscape character and landscape pattern (Scott) characteristic landscape beauty (Dower), high landscape quality (Hobhouse) and high scenic value (Minister of Town and Country Planning). Despite this "natural beauty" prevailed, for reasons which are not apparently disclosed anywhere, yet which can be taken as a shorthand for all these other concepts. It also of course had resonance with the existing National Trust legislation, which may have influenced those drafting the legislation.

"Natural beauty" has continued to be the accepted official phrase to encapsulate ideas about the value and importance of landscape, and is now found in legislation that amends or adds to the National Parks and Access to the Countryside Act, notably the Countryside Act 1968 and the Environment Act 1995, as well as in the Agriculture Act 1986 and the accompanying EC regulation relating to Environmentally Sensitive Areas, the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000. Despite its widespread use in legislation it has never been formally defined even though many over the years have found it a clumsy and unhelpful phrase. Whilst the early legislators presumably felt its meaning to be self-evident, in practice it contains many latent tensions, not least that of deciding the point at which a landscape, however attractive, ceases to be 'natural' by virtue of the intensity of human settlement and land use. The next section considers how the term has been elaborated and contested as it has been applied in different contexts.

## **The Concept Evolves: policies, practices and public inquiries**

The original ten National Parks in England and Wales were formally designated between 1949 and 1957 and the first tranche of 33 AONBs were confirmed for designation by 1976. The first official review of the National Parks, the Sandford review, which took place in 1974<sup>lvii</sup> had little to say about the definition or interpretation of "natural beauty" but did establish the primacy of the "natural beauty" purpose. Four years later the Countryside Commission<sup>lviii</sup> appointed Kenneth Himsworth to undertake its first review of AONBs. His report, published in 1980<sup>lix</sup>, similarly addressed the balance between the different purposes of designation and noted that the 1949 Act provided *"no guidance as to the calibration of 'outstandingness' in the quality of natural beauty"* nor did it comment on the interpretation of natural beauty itself. Himsworth did, however, note that *"AONBs come in all shapes and sizes.... there is no single character"*.

In a signal departure from the vagueness of terminology surrounding criteria for selection and definition of national parks and AONBs, the Countryside Commission in 1979 appointed consultants to carry out a study of the Kent Downs AONB<sup>lx</sup> which considered, *inter alia*, the meaning by outstanding natural beauty and the requisite qualities to make a landscape outstanding. In addressing these issues it emphasised 'characteristic' features, such as the abundance and integration of the distinctive elements, richness and unity, important influences of variable factors such as season and weather, the sweeping and rounded form of the land, and the human scale of the landscape. In addition the study makes particular reference to links between contemporary perceptions of the landscape and the paintings of Samuel Palmer who is closely associated with the Kent Downs landscape, particularly the area of the Darent Valley. This approach to extensive description of the character and special qualities of landscape, including detailed reference to how they have been recognised in the work of artists and writers, came to the fore in the 1980s, perhaps as a reaction against the emphasis on



quantitative approaches during the 1970s. In 1984 the new approach found clear expression in a report on the New Forest Landscape which set out the value of the area from a landscape perspective, to balance the longstanding emphasis on its national and international significance for wildlife and nature conservation<sup>lxi</sup>. It notes how, even 100 years earlier, evidence to the House of Commons Select Committee had made reference to the beauty and varied character of the New Forest and its great national value - *"an object of value as great as exists in any work of art, although the New Forest is one of nature"*.

A further influence was the production of guidance for the National Park Authorities on the implementation of Section 3 of the Wildlife and Countryside (Amendment) Act 1985 which amended Section 43 of the Wildlife and Countryside Act 1981. These sections required the National Park authorities to produce a map of particular types of land (mountain, moor and heath in 1981, with woodland, down, cliff and foreshore added in 1985) *"whose natural beauty it is, in the opinion of the authority, particularly important to conserve"*. The accompanying guidance<sup>lxii</sup> considered a number of different aspects of the meaning of "natural beauty" relating these to "pleasure to the senses", and noting that 'natural' did not preclude human agency:

*"it is not inconsistent with the concept of natural beauty to include such landscape elements as designed parklands, archaeological features, fields bounded by walls and even buildings where they are intrinsic elements in the wider landscape."*

While accepting the primary importance of visual qualities, the guidelines also recognised that people react to landscape through sounds, smells, taste and touch. Thus, "natural beauty" arose from a combination of a series of complex and varied factors including physiography (e.g. geology, ecological habitats), associations (historical and cultural), aesthetics (visual and other senses), status relative to other areas (degree of rarity or typicality), feelings evoked in

the observer, and public accessibility. This inclusive definition is significant because it reflects an explicit statement about what the Commission saw as being valuable in terms of "natural beauty" within a public statutory document.

A second review of National Parks, under the chairmanship of Professor Ron Edwards, reported in 1991<sup>lxiii</sup> that the purposes set out in the original legislation for National Parks were in need of revision. They reasoned that *"the National Parks embrace much more than the conservation of fine scenery; wildlife, archaeological features, the man made heritage and other cultural qualities are also essential elements of their special quality"*. As a result they recommended that the first purpose of National Parks, of *"preserving and enhancing the natural beauty of the areas"* should be re-defined as *"to protect, maintain and enhance the scenic beauty, natural systems and landforms, and the wildlife and cultural heritage of the area"*. This might imply a desire both to update and to clarify the meaning of "natural beauty" by indicating the full breadth of meaning that it encompassed in modern usage in the 1990s. It is interesting to note that the Panel proposed this detailed change to the first purpose but did not at the same time suggest any change to the qualifying Section 114(2). The recommendations of the Panel were partly reflected in the changes to National Park purposes set out in the Environment Act (1995) where the first purpose is re-stated as *"conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas..."*. Instead of replacing "natural beauty" with a broader phrase the Act retained "natural beauty" in the National Park purposes, but added the duty of conservation and enhancement of wildlife and cultural heritage. There was no change to Section 5(2) defining the criteria for designation. "Natural beauty" therefore remained undefined, but still qualified by Section 114(2) indicating that in references in the Act to the preservation, or the conservation of the "natural beauty" of an area "natural beauty" includes, but is not confined to, flora and fauna and geological and physiographical features.

At this time the former Department of the Environment also published a circular<sup>lxiv</sup> which defined National Parks as *"areas of exceptional natural beauty (containing) important wildlife species and habitats...But the Parks are also living and working landscapes and over the centuries their natural beauty has been moulded by the influence of human activity. Their character is reflected in local traditions which have influenced farming and other land management practices. It is also reflected in the local building material and vernacular style, monuments and landscapes, often of archaeological or historical significance, and in the words, customs, crafts and art which mark the individual characteristics of each Park"*. Arguably, this could be taken as confirmation of a broader view of the meaning of "natural beauty" in that the comments about wildlife, the influence of human activity, management practices and historical aspects can be read as qualifications of the first statements about "exceptional natural beauty".

It is clear that there has been a gradual clarification of what "natural beauty" means when applied to valued or designated landscapes. 'Landscape' and 'character' are starting to be recognised as closely related but nonetheless different terms, and there is a growing acknowledgement of the difficulty of applying universal rules of aesthetic appeal in a meaningful way. Character is emerging clearly as the basis for describing the special qualities of individual landscapes and beauty is being interpreted as an expression of landscape quality, related to particular characteristics of different areas, and of the values that are attached to different landscapes, aided by a historical perspective of the ways that artists and writers have responded to them over the years.

These emerging conceptions were vigorously tested in the first legal examination which touched on the meaning of "natural beauty", namely, the 1985 Public Inquiry into the designation of the North Pennines AONB in England. In his opening address to the inquiry, the Countryside Commission's QC argued that from a legal standpoint 'beauty' must be "construed subject to Section 114(2)". This section amplified natural beauty by reference to flora, fauna,

geological and physiographic features, and thus it was argued that *"such features, if worthy of preservation (which may be because of their scientific interest rather than aesthetic quality) are to be treated as included within the concept of beauty"*. The QC was clear that the list of 'features' is not intended to limit the definition of natural beauty to these aspects but rather to extend the meaning - that is to ensure inclusion of things which might otherwise have been excluded. Since neither the Inspector nor the Minister disagreed with his interpretation, it must be presumed to have a degree of official sanction:

*" 'Natural' in the context means therefore no more than 'not artificial'. Sometimes man has laboured to create beauty [through works] of 'artistic' or 'architectural' beauty. The phrase 'natural' beauty is merely used in contrast to such examples. It does not exclude beauty in which man has had a hand, or which arises as a by-product of or survives man's activities; only beauty which is the deliberate creation of man. The effects of S114(2) adds to it, not only natural features worthy of conservation even if not beautiful but also artificial creations out of growing things such for example as a landscaped park. Thus it is not inconsistent with the concept of natural beauty to include fields bounded by man-made walls, although the use of local material may be essential if that is not to disturb the natural beauty. No more is it inconsistent to view settlements and villages, of such quality at least as not to disturb the beauty of the area, as part of its natural beauty.*

The key evidence dealing with the policy framework for AONB designation and interpretation of their purposes and the criteria for designation was provided by the Countryside Commission's Director<sup>lxv</sup>, who observed:

*"Though the statute speaks of 'outstanding natural beauty', in practice this means outstanding landscape quality. This is because there are few, if any, areas of England and Wales, which are entirely natural..."*

This evidence is amplified by reference to the factors that Countryside Commission staff considered when judging "natural beauty" or landscape quality, namely, relative relief, landscape shape, natural quality (or wildness), semi-natural vegetation, dramatic contrasts, remoteness, unspoiled quality, continuity and extent, harmony of the works of man and nature, and vernacular architecture.

In his report following the Inquiry<sup>lxvi</sup> the Inspector wrote *"in considering the 'central issue', the Assessor and I agree with the Commission that natural beauty is in practice best interpreted in the context of a proposed AONB as landscape quality"* and in his findings of fact he noted that *"the quality of the landscape of the area is both natural and man-made"*. This provides the first clear evidence of landscape quality being used in practice in place of natural beauty, albeit there is no attempt to clarify what landscape itself means, nor indeed quality. The Secretary of State in his decision letter accepted the Inspector's conclusions and recommendations and expressed the view that *"assessment of landscape quality necessarily involves a subjective assessment and that within the consensus of informed opinion allied with the trained eye, and commonsense, the matter is one of aesthetic taste"*. This has been an important statement in subsequent considerations of "natural beauty".

The findings of this public inquiry resonated strongly with emerging interpretations of landscape as an environmental system which can be described in terms of its character and mapped as a geographical unit. In particular, it gave considerable impetus to the need for statutory organisations to be more explicit in their identification and treatment of special landscapes. Thus, having rejected statistical approaches to landscape classification and evaluation, the Countryside Commission facilitated the development of more qualitative methods<sup>lxvii</sup>, which began to consolidate the view that the analysis, description and classification of landscape character had to be considered separately from the steps of

evaluation or other forms of judgement. These views were reflected in the Commission's work to prepare its own internal guidance for staff on approaches to landscape assessment, later published for a wider audience<sup>lxviii</sup>, and subsequently elaborated into the method of Landscape Character Assessment.

In further recognition of the need to be much more explicit about what "natural beauty" means in practice, the Countryside Commission set about commissioning and publishing landscape assessments of all the proposed and designated AONBs. These assessments were designed to provide a statement about why each of the areas was considered important in terms of its landscape character and quality. Emerging wisdom was confirmed in the first of these publications, whose preface concluded that, whilst the determination of natural beauty should primarily reflect visual quality, geology, topography, flora and fauna, historical and cultural aspects were also relevant. The study proceeds to address this question through a process of *"informed opinion, the trained eye, and common sense"* as recommended by the Countryside Commission's Landscape Assessment guidance, which in turn reflected the conclusion of the North Pennines inquiry.

In 2000, work commenced to designate two new National Parks in England, the New Forest and the South Downs. Both proposals were subject to Public Inquiries, in anticipation of which the former Countryside Agency produced a series of papers between 1999 and 2002 reviewing the application of the criteria for National Park designation<sup>lxix</sup>. Landscape Character Assessment and guidance on its application played an important part in both inquiries.

The Inspector at the New Forest inquiry was assisted by a specialist Landscape Assessor who advised on the issues relating to the "natural beauty" criterion. The Assessor reviewed the legislation, the "natural beauty" criterion and the way the Countryside Agency had applied it in relation to the New Forest and the definition of its boundary<sup>lxx</sup>. A key consideration in defining

the boundary for this area was the use of a broad definition of "natural beauty" which included "flora, fauna, geological and physiographic features, and elements arising from human influences on the landscape, including archaeological, historical, cultural, architectural and vernacular features". Interpretation of the "natural beauty" criterion was in this case heavily based upon a Landscape Character Assessment conducted in 1991 which identified and mapped landscape types which possessed a common identity recognisable as the New Forest landscape<sup>lxxi</sup>.

The Landscape Assessor supported the view that the primary consideration of natural beauty was the presence of outstanding landscape quality reflected through the presence of intact and distinctive New Forest landscape character, with an absence of atypical or incongruous features. She stated:

*"all the landscapes of England are heavily influenced by human activity. Bearing that in mind, natural beauty as defined in Section 114(2) of the Act cannot imply pristine or completely natural landscapes or there would be no land in England that could meet the Natural Beauty criterion. The terms of the Act must therefore require a high degree of 'relative naturalness' accepting that the cultural influences on the landscape should be taken into account..."<sup>lxxii</sup>*

The main issue of contention was the degree to which weight should be attached to factors such as history, cultural associations, considerations relating to use of the land for common grazing, archaeology and nature conservation interests, even where these were unrelated to landscape beauty. The assessor felt that the weight to be attached to such matters needed to be carefully considered if they were not to be given undue attention in reaching judgements on natural beauty. This raised the difficult legal question of whether the qualifying statement about the definition of natural beauty in Section 114(2) relates only to the statutory purposes

of designation set out in Section 5(1) or also to the designation criteria in Section 5(2) where "natural beauty" is unqualified.

Following confirmation of the New Forest National Park boundary in March 2005, Meyrick Estate Management Limited and others appealed to the High Court against the inclusion of Hinton Park within the area. The High Court Judge, Mr Justice Sullivan, found in favour of the claimants. There were several grounds for the claim, but among them the claimants argued that the defendant (the Secretary of State) had erred in the law:

*"In not applying the statutory test in paragraph (a) of subsection 5(2) "natural beauty", but the extended definition applicable under section 114(2) only to the management of National Parks under subsection 5(1) once they had been designated under subsection 5(2)."*

The landscape consultant for the claimants commented that:

*"The Countryside Agency's revised approach to boundary making is to include areas of historical value. This is misguided as marginal areas are inappropriately included based on a flawed understanding of natural beauty".*

This argument was strongly contested at the inquiry by the Countryside Agency who argued that:

*"Guidance and precedent clearly indicate that historical, cultural, architectural and vernacular features form part of natural beauty. ... That is why landscape, ecological, historical and cultural considerations i.e. commoning, were each considered in turn in Section 3 and 5 of the*



*'New Forest National Park Boundary Study'... All of these factors (i.e. landscape; ecological; historical and cultural) were assessed as part of the 'natural beauty' criterion..."*

In weighing up the balance of arguments, the Judge did not accept the Agency's case relating to the application and meaning of section 114(2), suggesting that the extended meaning of "natural beauty" is related to possible conflicts which may arise from the different purposes of designation such as those between recreation pressure and the protection of rare flora. The Judge criticised the conclusions of both the Landscape Assessor and the Inspector, concluding that *"in some contexts 'natural' might simply mean rural, as opposed to urban, but 'natural beauty' has to be understood in the context of section 5 which is concerned with the designation of 'extensive tracts of country' which have the particular quality of natural beauty (whereas) 'well maintained' historic parkland providing the setting for a Grade I listed building, and 'well ordered' dairy fields of dairy farms would seem to be the antithesis of naturalness. In such landscapes man has very obviously and deliberately tamed nature".* The Judge considered that *"the Assessor and the Inspector's approach effectively discarded the requirement for a high degree of relative naturalness and substituted a test of 'visual attractiveness' or 'landscape quality' "*.

In moving towards his conclusion the Judge noted that the issue of proper application of section 114(2) was *"not the determining issue"*. Instead he turned to the fact that the Agency was contending that a broader range of factors, including, for example historical and cultural factors, could be taken into consideration in deciding whether the "natural beauty" criterion was met. He concluded that: *"While such factors were relevant (as the Assessor said) to an understanding of how a particular tract of countryside had evolved to its present state, they were not relevant when it came to deciding whether it possessed the necessary quality of natural beauty so as to justify designation as a National Park"*. This ruling therefore took a

narrow view of "natural beauty", bringing into question much of the subsequent evolution of its interpretation in policy and precedent.

The Department for Environment, Food and Rural Affairs (DEFRA), representing the interests of the Agencies involved in the original case, contested the High Court Ruling but in 2007 the Court of Appeal upheld the decision, although its reasons related to whether opportunities for open air recreation existed and it was of little help in reaching a firm view of the correct legal interpretation of natural beauty.

In making the original decision in the Meyrick case the High Court suggested<sup>lxxiii</sup> that legislation was needed to clarify the meaning and use of natural beauty in designating landscapes for protection, noting that:

*"Views as to which tracts of countryside have the quality of "natural beauty" may (or may not) have changed over the last 50 years, but the "natural beauty" criterion in subsection 5(2)(a) of the Act has not been changed to embrace wider considerations such as "cultural heritage". If the "natural beauty" criterion in subsection 5(2)(a) is to be changed to reflect 21st century approaches to countryside and leisure planning then the change must be effected by Parliament, and not by administrative action on the part of the Agency in adopting a wider range of factors for the purposes of designation."*

Concerned at the implications of the High Court ruling for the ongoing Inquiry into the proposed South Downs National Park, the relevant authorities had to a degree anticipated this conclusion. Taking advantage of the imminent introduction of the Natural Environment and Rural Communities Act 2006, a new clause was added very late in the proceedings, with the intention to pre-empt any further debates about the meaning of natural beauty. This new clause provided that, when considering natural beauty, an area's wildlife and cultural heritage

may be taken into account (Section 5(2A)(a)); such an area may include land which consists of or includes land used for agriculture or woodlands, or used as a park, or an area whose flora, fauna or physiographical features are partly the product of human intervention in the landscape (Section 99). It remains to be seen whether this is a sufficient basis for modern landscape protection, planning and management, such as that required under the European Landscape Convention.

### **Stakeholder Views on “Natural Beauty”**

It is clear that the interpretation of the term “natural beauty” is not as self-evident as its originators presumed. Indeed, it is openly contested, bringing into question whether it should be more explicitly defined or perhaps replaced altogether with an alternative expression. This question was explored with a group of stakeholders, in the form of a written consultation and a workshop. Both groups received a summary of the researchers’ review and a draft re-definition, of “natural beauty”. A number of individual expressions and convergent themes were suggested by respondents and attendees during these exercises (Table 1).

A recurrent theme was the intangibility of natural beauty and hence the need to ensure that it reflected non-quantifiable and emotional qualities, which often could not be precisely defined or specified. Not being a purely objective quality possessed by the land, it was seen to relate to the capacity of land and water to evince emotional responses. It was seen as a fluid concept, as cultural evolution leads to changes in what is recognised as being beautiful. It is also a multi-sensory quality – not purely visual – and thus properties such as tranquillity and sense of freedom contribute to the human response. It could also have a ‘spiritual’ quality, given the historical association between ‘re-creation’ and inspiring places. Some respondents were concerned that too formulaic a definition might trivialise some of these profound qualities.

Respondents felt that natural beauty did not need to be restricted to areas which were either extensive or wholly free from industrialisation. On the one hand, society is increasingly prepared to recognise the beauty associated with urbanisation and industry, even where the landscape scars have only recently started to heal. On the other, 'unspoilt' natural beauty was often to be found in quite small areas, whereas legislation and past practice tended to equate it with the grand scale. These smaller enclaves were often close to large settlements and thus valued by many people and so it was important to have a definition which allowed acknowledgement of natural beauty wherever it occurred.

Whilst respondents tended to describe natural beauty in 'universal' terms rather than place-specific ones, there were some allusions to particular associations with the Welsh language and culture. For example it was noted that the difference in language is closely related to the understanding of place. The Welsh language includes helpful terms such as *tirlun* for the 'visual' qualities of landscape and *tirwedd* for a richer view reflecting wider associations, whilst the notion of *hiraeth* reflects people's yearning for places they cherish. Further, the time-depth of landscape was considered to a very important contributor to what is perceived as beautiful, and in Wales this has been reflected in a Register of Historic Landscapes<sup>lxxiv</sup>.

The continued usefulness of natural beauty as a concept caused some division of opinion. A significant minority suggested that the term was outmoded and needed to be replaced: first, it was felt that human use had shaped the environment for so long that the notion of 'natural' was misleading; and second, beauty is a category of the aesthetic, and thus some people saw it as an inappropriate subject for legislation. The terms natural and beauty were felt to be unclear and disingenuous, both individually and in combination, and could usefully be replaced by a new term. Most respondents, however, were in favour of retaining the concept, mainly for pragmatic reasons, albeit with a deeper support for the term's intrinsic meaning. Both the supporters and opponents of the term were keen to pursue the use of new terms, either as

supplements to or replacements of natural beauty – these included fine scenery, high quality rural landscape, special landscape, natural and cultural heritage (*qua* Scottish national parks), and relative naturalness (in a small and crowded country with strong anthropogenic influence). Some were particularly keen to see harmonisation with international terminology, particularly with IUCN Category V Protected Landscapes, the World Heritage Convention and the European Landscape Convention. There was a feeling that most people understood ‘natural’ as being where human control is ‘relaxed’, making it easier to see that landscapes are still shaped by elemental forces of nature such as weather, tides, seasons, gravity, soils, geology and water.

A common view was that natural beauty remained a useful concept provided it was elaborated through criteria based on positive contributors and negative detractors. Some respondents sought criteria that were primarily visual, reflecting the essential aesthetic and perceptual qualities of beauty; authenticity was similarly mentioned. This view was closely related to emergent properties such as tranquillity, relative lack of pollution, wildness, relative naturalness, integrity and associations. Others sought scientific criteria, reflecting legal references to flora, fauna, geology and physiography. One interesting and strongly made viewpoint was that accessibility was a key criterion. Given that beauty has to be seen to be appreciated, then it is axiomatic that people should be able to view it at first hand. However, some respondents were keen not to introduce criteria, feeling that this would detract from the transcendental and indefinable qualities that were most precious. Further, society is constantly redefining its attitudes about things that it deems to be beautiful, and thus quantifying and specifying such a fluid notion could prove a contradiction in terms. One strongly expressed viewpoint by a number of respondents was that natural beauty is a ‘democratic’ concept and possesses an aesthetic which relies on the observer’s response – thus, it was important to ask the public what it considered to be beautiful.

Clearer definition of the term was felt to be important for a number of reasons: the need for a legally robust definition, especially in the post-Meyrick context; generating an improved understanding of the role of National Parks; providing a clear thread between the European Landscape Convention and domestic practice; interpreting 1940s legislation in a modern way that reflected evolution of thinking about landscape; and ensuring that the term was not 'overloaded' by expecting it to apply to all manner of situations inside and outside national parks. A common view was that a definition of natural beauty should strike a balance between having a popular currency and yet also being fit for legal purpose. Subsequent reflection and discussion emphasised the importance of defining 'natural beauty' rather than 'outstanding natural beauty'. Many parts of the country may thus be considered to possess a degree of natural beauty – however, some places could display this quality to an outstanding degree, and so may be worthy of special designation. Criteria that workshop members thought might be taken into account in defining natural beauty are summarised in Table 2.

## **Conclusion**

The foregoing account has analysed the continuing relevance of natural beauty as a legal term underlying the safeguard of protected landscapes in the UK, particularly England and Wales. During the 18<sup>th</sup> and 19<sup>th</sup> centuries, there is evidence of a progressive consensus that 'nature' – rather than being associated with hazard and privation – could be treated as a category of the aesthetic alongside human form and artefacts. For various reasons, this view became enshrined in a particular bureaucratic and legislative movement. Even though it is clear that successive guidance and professional judgement has drawn upon an increasingly sophisticated view of 'landscape', and despite the apparent vulnerability of the term to legal challenge, natural beauty is still widely considered to be 'fit for purpose' as a basis for designating and

managing protected areas. However, it is a somewhat archaic term which clearly needs qualification and clarification.

Taking account of the various sources of evidence and opinions, we suggest that the following attributes relate to a modern understanding of natural beauty:

- natural beauty relates, first and foremost, to unspoilt rural areas free from large-scale settlements or industry;
- natural beauty does not apply only to landscape where nature may appear to dominate, but includes rural landscapes which have been shaped by human activities, including, for example farmland, fields and field boundaries designed parkland, small settlements, larger villages and small towns, provided that they are integral to and in keeping with, the character of the landscape. Traces of industrialisation may not always be incompatible with, and may sometimes be complementary to, beauty;
- natural beauty is a broad concept that is concerned with 'landscape', which is now itself inclusively defined as: the interaction between the physical (geology, landform, air and climate), natural (soils, flora and fauna), and cultural/social (land use, enclosure, settlement) components of our environment; and the way this is perceived by people visually, in terms of aesthetic aspects like colour, form, texture and pattern, and through other senses, and also through perceptions and preferences, which are affected by people's cultural backgrounds and interests;
- natural beauty is related to landscape character, in that it will find expression in areas of landscape which have a degree of unity and distinctiveness in character and a strong sense of place. Landscape character is, however, found everywhere whereas natural beauty is found in valued landscapes;
- in the 19th and the first half of the 20th centuries, when landscape was still viewed largely as a static scene or picture, natural beauty was used mainly to reflect the value attached to the aesthetic and scenic aspects of landscape. The aesthetic values

attached to landscape, though still important, are only one of the reasons why landscape is now valued;

- natural beauty is about landscape value and thus draws upon the different reasons why society may attach value to particular areas.

These are increasingly established through recurrently used criteria (Table 2). Not all of these criteria need be met for an area to possess natural beauty; however, where many of them coincide spatially, that area may be considered to possess 'outstanding' natural beauty.

In the context of 'protected landscapes/seascapes', we conclude that natural beauty relates, first and foremost, to unspoiled rural areas, relatively free from the effects of urbanisation and industrialisation. It does not apply only to landscape where nature may appear to dominate but includes rural landscapes which have been shaped by human activities, including, for example farmland, fields and field boundaries, designed parkland, small settlements, larger villages and small towns, provided that they are integral to, and in keeping with, the character of the 'landscape'. Overall, therefore, it appears that the concept of natural beauty retains a contemporary meaning distinct from the evolving use of 'landscape' and continues to have legal and policy relevance.

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