

**REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGNERATION**

**CONSIDERATION OF WHETHER TO SEEK DESIGNATION AS AN AREA OF OUTSTANDING NATURAL BEAUTY FOR THE EXE VALLEY.**

**Cabinet Member(s):** Cllr Richard Chesterton  
**Responsible Officer:** Jenny Clifford, Head of Planning and Regeneration

**Reason for Report:** Members requested the Economic Development Team look into the feasibility of obtaining Area of Outstanding Natural Beauty (AONB) status for the Exe Valley.

**RECOMMENDATION:** That Members consider the different options presented for conserving the environmental quality of the Exe Valley and recommend to Cabinet a way forward.

**Relationship to Corporate Plan:** Obtaining AONB designation for the Exe Valley could provide benefits that would further a number of aims in the corporate plan including, protecting the natural environment and encouraging biodiversity; looking after our heritage assets; growing existing businesses and growing the tourism sector.

**Financial Implications:** Seeking AONB designation under Option 1 would have an immediate cost of £40k for the first 6 months, followed by project development work of approximately £200- £250k over three years and would if finally approved create liabilities of £150-£200k annually to fund the ongoing delivery of an AONB management plan. Option 2 may cost up to £71k annually to resource, while the financial implications of Option 3 would be determined by the projects pursued. Option 4 has no immediate financial implications.

**Legal Implications:** There are no legal implications resulting from this report with the exception that Area of Outstanding Natural Beauty status is a national landscape designation that is a material planning consideration for both plan making and application decision purposes.

**Risk Assessment:** Risks associated with different options are addressed under each in section 3.0 of this report.

**Equality Impact Assessment:** There were no equality impacts identified resulting from this report.

## **1.0 Introduction**

At the meeting of Council on 6<sup>th</sup> November 2013 Motion 476 from Councillor Roach 'This Council resolves to seek AONB status for the Exe Valley' was considered. It was resolved that further investigation take place and that a report be considered at the next Cabinet meeting where further consideration would be given to the motion. The motion was discussed further at the Cabinet meeting of 6<sup>th</sup> February 2016 together with a briefing paper. At this meeting Cabinet resolved the Council be recommended to support the amended motion: 'This Council resolves to seek AONB status for the Exe Valley at no cost to the Council'. This motion as amended was subsequently returned to Council and approved.

In January 2017 the Economic Development Team was asked to explore the potential for seeking Area of Outstanding Natural Beauty (AONB) designation for the Exe Valley and identifying the advantages and disadvantages of achieving this status. In order to progress this report background research was undertaken together with a series of meetings being conducted with relevant bodies including Natural England, Devon County Council Environment Service, Blackdown Hills AONB, Environment Agency, Exmoor National Park, National Trust and Devon Wildlife Trust. Members will need to consider the nature of AONB designation, its benefits and detriments in relation to their aspirations for the Exe Valley area and the resource implications in terms of officer time and budget in terms of applying for AONB designation and in the longer term in the event of designation success.

### **1.1 Background Information about Areas of Outstanding Natural Beauty.**

An AONB is land of outstanding natural quality protected by statute in order to conserve and enhance its natural beauty. AONBs were originally established under the National Parks and Access to the Countryside Act 1949, though this legislation was updated and largely reformulated in the Countryside and Rights of Way Act 2000 (CROW Act). There are currently 46 AONBs throughout the UK.<sup>1</sup>

Under the CROW Act, Natural England has the role of considering proposals for designation, and assessing whether they meet the requisite criteria. In order to designate an AONB, Natural England must:

- decide if a proposal meets the natural beauty criterion
- decide if it's desirable to designate for the purpose of conserving and enhancing natural beauty
- define a detailed boundary

Natural Beauty is assessed on a combination of factors (see Appendix B), including:

- landscape quality, where natural or man-made landscape is good quality
- scenic quality, such as striking landforms
- relative wildness, such as distance from housing or having few roads

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<sup>1</sup> See the National Association of Areas of Outstanding Natural Beauty's website at, [www.landscapesforlife.org.uk/](http://www.landscapesforlife.org.uk/)

- relative tranquility, where natural sounds, such as streams or birdsong are predominant
- natural heritage features, such as distinctive geology or species and habitat
- cultural heritage, which can include the built environment that makes the area unique, such as archaeological remains or historic parkland

Natural England prioritises its workload by considering whether, proposals are likely to have sufficient evidence to meet the natural beauty criterion; there is local authority agreement that designation is appropriate; that at this moment the proposal is more important than other corporate priorities; and most importantly, it has the available resources to evaluate the proposal.

In a preliminary meeting with Natural England in January 2017 it was made clear that due to a lack of available resources and more pressing corporate priorities for the organisation in the form of a number of boundary changes for existing National Parks and other AONBs, there would be a significant delay in looking at any new proposals for designation. In order to make it into their prioritised list it will be important that any initial submission is well formulated, has significant consensus amongst local stakeholders including neighbouring authorities and is fully backed up with evidence.

In May 2018 the Environment Secretary, Michael Gove announced a review of National Parks and AONBs. As well as looking at how well National Parks are meeting their statutory purposes, the review will also be looking at the process of designation, with a view “to improving and expediting the process.” This gives some hope that the process for designation could be speeded up. The Review is to report back to Parliament in 2019.

## **1.2 Benefits of AONB designation**

There have been a number of academic studies on the benefits and detriments of AONB designation<sup>2</sup>, which have been verified in interviews with local key stakeholders. These can be summarised as follows:

- It affords protection and opportunities to conserve and enhance the unique environmental and cultural quality of the area (which is the primary function of an AONB)
- It focuses local and national attention on the environmental, social and economic needs of the area
- AONB status brings national recognition as one of the nation’s best landscapes
- This can provide important ‘brand image’ for the designated area and therefore potentially helps promote the area to visitors and potential residents
- There are increased opportunities for gaining resources for the area (external funding, expertise and support) – However, the effectiveness of gaining this support is dependent on the vigour and vitality of the bodies and partner organisations pursuing these opportunities.
- There are increased opportunities for landowners to gain funding for environmental schemes / support for marginal land.

- Designation provides a marginal competitive advantage in gaining resources.
- It can provide leverage to support the growth of the green economy – creating brand value and environmental opportunities
- It creates increased planning constraints against inappropriate development
- It creates a statutory duty on all public bodies to have regard to the purposes – to ‘protect and enhance the natural beauty’, thereby giving further protection.

### **Detriments**

- The cost of designation (estimated in the order of £100s of thousands) – including preparatory work, commissioned studies, community engagement, political consensus building)
- It creates financial liabilities in the shape of continuing maintenance costs (developing a management plan, and delivering the actions that flow from it)
- There are greater restrictions on landowners / house-owners on how they develop their land / property
- There are increased pressures on the landscape generated by designation – increased footfall, increased demand for access<sup>2</sup>
- Increased desirability – putting greater pressure on housing and other resources
- ‘The National Park Premium’ – there is an inflationary effect on house prices from national park and AONB status, that then puts further pressure on young people needing accommodation<sup>3</sup>

## **1.3 SWOT of the Exe Valley as an AONB**

Looking at the case for seeking AONB status for the Exe Valley, it can be summarised using the SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis below.

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<sup>2</sup> Impacts of AONB designation

<http://cambrian-mountains.co.uk/wp-content/uploads/2014/01/aonb-pathfinder-report.pdf>

“Concern has been voiced for decades that designation will increase the level of visitation in National Parks and AONBs. No AONB has remarked on this as an impact of designation. Those interviewed by us pointed out that the beauty of these areas means that as a tourism and recreation destination they pre-date designation. Two remarked that, on the contrary, the local tourism industry did not perform especially strongly, partly because “brand awareness”, in terms of the area, was often poor and in no way associated with the designation.”

<sup>3</sup> House prices in designated landscapes is considerably higher than the average for the area. <http://www.knightfrank.co.uk/blog/2017/06/13/the-national-park-premium>

“Oliver Knight, an Associate in Knight Frank’s Residential Research team, said: “The high quality of life connected with living in some of the most distinctive landscapes in England and Wales is an obvious attraction for many home buyers, but this often comes with a premium. More restrictive planning regimes in place within National Parks and Areas of Outstanding Natural Beauty means supply can often fall short of demand and this – along with the nature of existing stock, which tend towards older, larger homes with land - has underpinned pricing.”

<p><b>Strengths</b></p> <ul style="list-style-type: none"> <li>• Recognisably beautiful landscape</li> <li>• Numerous Ancient woodland habitats</li> <li>• The northern fringe of the area shares common landscape characteristics with Exmoor NP</li> <li>• The Exe is an important river system</li> <li>• Strong village identities</li> <li>• The majority of the proposed area is within one local authority</li> <li>• Significant heritage features</li> </ul>	<p><b>Weaknesses</b></p> <ul style="list-style-type: none"> <li>• Lack of flagship environmental sites / habitats / species</li> <li>• Lack of public access – very little (if any) common land and limited footpath system</li> <li>• Modern agricultural practices leading to water quality issues</li> <li>• Limited extent of area</li> <li>• Limited narrative tying the area together, leading to a weak sense of place (Exe Valley).</li> </ul>
<p><b>Opportunities</b></p> <ul style="list-style-type: none"> <li>• Focus attention on the environmental and historic / cultural quality of the area</li> <li>• To enhance the environmental quality of the area</li> <li>• To promote tourism and leisure opportunities</li> <li>• Opportunity to create a brand linking the open moorland of Exmoor NP to the (nationally / internationally important) Exe Estuary and the sea</li> </ul>	<p><b>Threats</b></p> <ul style="list-style-type: none"> <li>• Modern agricultural practices leading to soil and water quality issues</li> <li>• Potential for unsympathetic village development across the area</li> <li>• Changes in agriculture due to post Brexit settlement</li> <li>• Unknown direction of agricultural subsidies</li> <li>• Threats to tranquility and remoteness from growth of villages and towns</li> <li>• Live-work patterns – commuting to places of work, breaking down links between community and locality (dormitory villages)</li> <li>• Environmental change due to effects of global climate change</li> <li>• Increasing number of 2<sup>nd</sup> homes / holiday cottages</li> </ul>

## 2.0 Key Emergent Issues

From the work carried out so far, some key issues are emerging that need to be resolved if the Council is to pursue AONB designation.

### 2.1 Proving that the ‘natural beauty’ of the area is ‘outstanding’

The key concept Natural England uses to assess applications for designation is ‘natural beauty’. This concept combines a number of factors - environmental quality, biodiversity, landscape quality, tranquillity, scenic quality, heritage and culture. Informal feedback from key informants indicates that there is probably a sufficient basis to build a case for designation for the Exe Valley, but this would need to be substantiated. There are a number of existing sources of evidence, but these are far from comprehensive, and much of what is available needs revising. The first stage of any designation process must be

to undertake a full gap analysis of available evidence in order to identify what further studies, surveys and reports need to be commissioned. This will largely determine the time and cost needed to develop a case for designation. One of the key documents necessary for proving the case for designation is the Mid Devon Landscape Character Assessment which was last revised in 2011. This would need to be fully revised as part of an application process.

## **2.2 Defining the Area**

The initial concept map (see Appendix A) shows the extent of the River Exe catchment within the Mid Devon District Council boundaries. The primary consideration by Natural England for deciding the extent of an AONB is the integrity of the natural landscape character of the proposed area. Political boundaries do not necessarily form part of their considerations. From a natural landscape perspective there is an argument to expand the area under consideration beyond the boundaries of Mid Devon District Council to take in small areas of neighbouring districts (North Devon to take in areas of the moorland on its western border that feed the tributaries to the Exe; East Devon particularly towards the Killerton Estate and to Cowley Bridge; and Taunton Deane around the headwaters of the Bathern). This will add complexity to the process, but may be a necessary part of obtaining designation.

There will also need to be considerations as to whether to exclude areas of significant planned or potential development. Again, the primary consideration for such exclusions must be natural landscape character and not just expediency. Even if an argument was made to exclude Tiverton from a proposal, major developments may be subject to greater scrutiny due to their proximity to an AONB (see section 2.6 on planning implications). The exact boundary for a proposed AONB would be decided as part of finalising a submission to Natural England.

## **2.3 Creating a Vibrant, Economically Active and Living Community**

The primary and only criterion for AONB designation as set out in legislation is 'to conserve and enhance the environment'. Although there may very well be important benefits to the local economy through AONB designation, these economic benefits are not part of Natural England's considerations. Initial discussions with key stakeholders have already underlined the need to balance protection for the environment with ensuring a vibrant, economically active and living community. As part of any process to seek designation the Council should set out a comprehensive vision for how it can facilitate regeneration and economic growth in the rural areas affected by potential designation. This is particularly important given the uncertainties caused by Brexit, and the resulting possible effects on the agricultural sector. Landowners may be unwilling to support an AONB designation if their options for growth and development are curtailed through planning restrictions or perception of such.

## 2.4 Cost of gaining designation

It is difficult at this stage to estimate the final costs of a process that could take up to 10 years to complete. However, an initial estimate of the cost of collecting evidence and doing the work necessary to obtain designation over a three year period is over £200k.

### Estimated Cost for initial work of designation

Item	Assumptions	Cost
Initial work on Expression of Interest		£40,000
AONB Project worker	3 years of 0.6 fte at Grade 10 + on costs (+ 2% year on year inflation)	£94,510
Landscape Character Assessment Revision		£20,000
Commissioning Detailed Survey Work	The total amount needed for detailed survey work would be determined by a detailed gap analysis.	£40,000 - £60,000
Partnership Activity		£10,000
Community Engagement		£10,000
<b>TOTAL</b>		<b>£234,510</b>

## 2.5 Ongoing AONB management costs

Once established an AONB's main statutory responsibility is to develop and deliver a management plan. Looking locally for comparable costs, in 17-18 the core costs for the Blackdown Hills (BH) AONB Unit were £178k, of which 75% is funded by DEFRA and 25% by local authority contributions. Even assuming that the level of government grant remains the same, and that Mid Devon was the main contributing authority, at current values the cost to the District Council would be £44.5k pa. There could be other management models that might reduce these costs, for instance sharing core staff with other designated areas, but this gives a base figure to work with.

In recent years funding for National Parks and AONBs has been under pressure, and there is an expectation that come the end of the current government funding settlement and the new post Brexit funding landscape, funding for designated areas may be less generous. Many National Parks and AONBs are actively looking at ways of becoming more self-sustaining, by setting up as a social enterprise and developing potential funding streams. Setting up an AONB in today's funding climate without some form of sustainable income stream, may create problems for the future.

Expenditure		Income		
AONB Unit costs	£178k	Defra Funding (under current settlement)	75%	
		Local Authority Funding	25%	£44.5k

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*Estimated per annum management costs (Based on BH AONB at current values)*

Should DEFRA funding for areas of activity such as this be reduced or removed, the cost would fall on the Council. The financial exposure in such circumstances would be approximately £178k per year.

## **2.6 Planning Implications (see Appendix C)**

Under Section 85 of the Countryside and Rights of Way Act 2000 local authorities have a general duty to 'have regard to the purpose of conserving or enhancing the natural beauty' of AONBs when coming to any decisions or carrying out activities relating to or affecting land within these areas. Activities and developments outside the boundaries of AONBs that have an impact within the designated area are also covered by the 'duty of regard'.

The National Planning Policy Framework (NPPF) 2018 indicates that AONBs are equivalent in planning status to National Parks in terms of their landscape quality and scenic beauty. At paragraph 11, the NPPF indicates that where there are no relevant development plan policies or the most relevant policies to determine an application are out of date, permission should be granted unless the conditions in either of two specific criteria occur. One of these criteria is where a protected area provides a clear reason for refusing the development proposed. An AONB is one such protected area where reasons may exist to refuse planning permission which override the presumption to approve permission in such circumstances.

The NPPF states that local authorities should support the development of entry-level exception housing sites for first time buyers (or those looking to rent their first homes) in certain circumstances on land which is not already allocated for housing. Such sites should be adjacent to settlements, proportionate in size to them and not compromise the protection given to areas of particular importance including AONBs.

The NPPF identifies that greater weight should be given to conserving and enhancing the landscape and scenic beauty in National Parks, the Broads and AONBs which have the highest status of protection in relation to these issues. The scale and extent of development within such areas should be limited and planning permission should be refused for major development other than in exceptional circumstances where it can be demonstrated that the development is in the public interest.

Adopted planning policies within Mid Devon relating to AONBs are as follows: Core Strategy policy COR2 which refers to the preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape and that within AONBs the primary objection will be to protect the special environmental qualities of that landscape and its setting. Development management policies within the Local Plan Part 3 policy DM29 relate to protected landscapes and states that:

*Development proposals within or affecting the Blackdown Hills Area of*



*Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:*

- a) Cultural heritage and the character, appearance, setting and other special qualities of the landscape will be conserved or, where possible, enhanced; and*
- b) Biodiversity will be conserved and enhanced where possible through improved linking of habitats, appropriate landscaping and habitat creation.*

*Major developments within or adjoining the Area of Outstanding Natural Beauty and Dartmoor or Exmoor National Parks will only be permitted in exceptional cases.*

The Local Plan Review 2013-2033, currently at examination, contains similar policies at S1 Sustainable Development Priorities, S9 Environment and DM27 Protected Landscapes together with specific references to the Blackdown Hills AONB within two site allocations: CU9 East Cullompton environmental protection and green infrastructure and CL2 Hunter's Hill, Culmstock.

AONB designation also acts to limit certain permitted development rights in relation to buildings within the curtilage of a dwelling house, the size of residential and non-domestic extensions, residential alterations, changes of use and certain works by statutory undertakers.

## **2.7 Resource implications**

The Growth, Economy and Delivery Team (GED) is currently developing an Economic Strategy, which will detail the Council's priorities for economic growth within the district. There are currently a number of ambitious projects flagged up within the strategy which will require considerable resourcing. All three options outlined below will require staffing and funding for specific projects, this has the potential to reduce the Council's ability to proceed with other economic / corporate priorities and reduce the impact of the emerging Economic Strategy.

AONB designation is fundamentally and specifically an environmental designation - 'to conserve and enhance the natural beauty' of an area. To successfully take designation forward it will need people with technical expertise in environmental services to develop the bid. This is currently not available within the Planning and Regeneration Service. If the Council decides to move towards seeking designation, consideration should be given to the most appropriate service area to take the initiative forward.

## **3.0 Options for future action**

The following paragraphs set out options for taking this initiative forward;

Option 1 – Seek full AONB Designation

Option 2 – Form a delivery partnership of key stakeholders

Option 3 - Develop specific schemes to enhance the area economically and environmentally

Option 4 – Take no further action at this stage, but look for other opportunities to enhance the economy of the area

### **3.1 Option 1 – Seek full AONB Designation**

This would involve a three stage process:

- Submission of an initial expression of interest
- Submission of a full bid for AONB designation
- Assessment and Determination by Natural England

#### **Phase 1: Initial Submission – 6 months**

An initial submission would need to include:

- A description of the evidence sources which have been used to support the assertion that the area in question may satisfy the statutory designation criteria and that it is desirable that it be designated for the purpose of conserving and enhancing the area's natural beauty.
- A statement on the extent and nature of the local consensus for designation. This should make specific reference to which local authorities are supporting the suggestion and highlight any national bodies that have expressed support. It would also be helpful to note any significant expressions of opposition from any quarter.
- A map showing the boundary of the area being suggested for designation. This needs to be Ordnance Survey based and of a suitable scale to allow an approximate boundary to be plotted into Natural England's GIS system.

An initial map has been produced, although it would need to be verified in discussion with neighbouring authorities. A list of readily available evidence has also been produced, but further work needs to be done to ensure this is sufficiently robust. The main piece of work needed before an initial submission is to formally approach neighbouring authorities to seek their views on a proposed designation.

The cost of the initial work to cover staff costs, meeting costs and any initial evidence collecting could be £40,000 to support the initial 6 months of the process.

#### **Phase 2: Development of a full bid for designation – 3 years**

If an initial submission was received favourably by Natural England, then a full bid would need to be developed. This process could take anything up to 3 years and requires a part-time project officer in order to undertake the work necessary to build a robust case for designation. This would include undertaking a detailed gap analysis of available evidence, commissioning further studies and surveys as identified through the gap analysis, partnership development and community engagement. A major piece of work that we know would need updating for this purpose is the Mid Devon Landscape

Character Assessment, which would need to be completed to inform the rest of the process. The cost for this phase could be between £200 – £250k (see more detailed costings above).

**Phase 3:** Assessment and Determination by Natural England – Up to 10 years.

The timing of this will be governed by Natural England's capacity to manage its workload and the prioritisation of its caseload and may take anything up to ten years. This period would also need to be resourced to ensure any further information needed by Natural England was collected and submitted in a timely manner.

### **3.2 Option 2 – Form a delivery partnership of key stakeholders**

Some of the beneficial outcomes of AONB status could be achieved by developing an active, delivery partnership for the Exe Valley cf. the Exe Estuary Management Partnership (<https://www.exe-estuary.org>). An active partnership would be a necessary stage towards achieving AONB status, as reaching consensus about the needs of the area would be an important element to making the case for designation in the first place. If the partnership proved effective and was demonstrably delivering, it could itself provide the focus and partner input necessary. An active delivery partnership may thus be able to deliver many of the benefits of designation without undergoing the lengthy process of seeking AONB designation.

There would also be a cost to maintaining an active partnership. The working of the partnership would need to be managed, and partnership projects would need to be driven forward. This would need a part-time staff resource estimated at 1–2 day a week, depending on the activity of the partnership, costing up to £21,000 per annum, as well as match funding for partnership projects, and seed funding to attract further funding for any initiatives it decided to support. The amount of match funding would be as large as the ambition of the partnership but could be estimated at £50,000.

However, there are risks associated with this approach. Without an active core group and officer support to develop and deliver initiatives, it is unlikely that such a partnership would be able to demonstrate its value, making it more difficult to sustain partners' involvement. With no designation, there may be a lack of focus and direction to the group, unless they could create a strong vision for themselves. Equally, without AONB designation, access to funding and other resources may be more difficult to achieve, making it harder for a partnership to deliver.

### **3.3 Option 3 – Develop specific schemes to enhance the area economically and environmentally**

One of the main benefits of seeking AONB designation is the focus of attention and resources on the needs of an area. Given the right intention and effort, this can be achieved with or without AONB designation, but at a pace determined by the Council's and other partners' capacity to respond.

If the Council so wishes, it could initiate and develop projects and initiatives with partners to further the environmental protection and enhancement of the area and its economic growth without any of the obligations and costs of AONB designation, or the costs of a formal partnership. For instance, seek funding to extend environmental schemes available on Exmoor, such as the 'Headwaters of Exe Project', to the Exmoor fringe areas of the Exe; work with Exmoor National Park and Exeter City Council to create a brand for the Exe Valley (from 'Moor to Sea') to promote local food and drink producers cf? 'Dorset Food'<sup>4</sup> and to promote the area to visitors. Projects could then be prioritised against other calls on the Council's resources. The cost of this option would be determined by the type and extent of the project pursued. The projects themselves would need to be prioritised against other work streams.

One disadvantage of this approach is that it could raise expectations for similar initiatives across the District which would have further significant staff and resource implications.

### **3.4 Option 4 - Take no further action at this stage**

Accepting that the Exe Valley is an area of great beauty and an important natural asset to the District, the Council could decide not to actively pursue designation but to continue to take opportunities as they arise to enhance and protect the area through joint initiatives with other partners. We are already actively working with partners on a couple of initiatives which could have a significant effect on the natural environment and create economic benefits to the area such as Culm Catchment Project currently being pursued with Blackdown Hills AONB, which will potentially bring in substantial funding into a whole river approach to managing the river Culm and create a series of natural flood mitigation interventions; the Hydromills project, piloting the use of innovative micro-hydro schemes to create community-based energy production and improve active management of waterways. If successful this project may have the potential for expanding into areas of the river Exe. These and other opportunities could be pursued alongside, and prioritised with, other economic initiatives without the extra costs incurred by seeking formal AONB designation.

#### **Contact for more Information:**

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#### **Circulation of the Report:**

Cllr Richard Chesterton

#### **List of Background Papers:**

Appendices A, B and C attached

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<sup>4</sup> <http://www.landscapesforlife.org.uk/resource/dorset-food-and-drink/>







## Appendix B – Elements of Natural Beauty (from *Natural England Guidance*)

Factor	Example sub-factor	Example Indicator
<b>Landscape quality</b>	Intactness of the landscape in visual, functional and ecological perspectives	Characteristic natural and man-made elements are well represented throughout
	The condition of the landscape's features and elements	Landscape elements are in good condition
	The influence of incongruous features or elements (whether man-made or natural) on the perceived natural beauty of the area	Incongruous elements are not present to a significant degree, are not visually intrusive, have only localised influence or are temporary in nature
<b>Scenic quality</b>	A distinctive sense of place	Landscape character lends a clear and recognisable sense of place
	Striking landform	Landform shows a strong sense of scale or contrast
		There are striking landform types or coastal configurations
	Visual interest in patterns of land cover	Land cover and vegetation types form an appealing pattern or composition in relation to each other and/or to landform which may be appreciated from either a vantage point or as one travels through a landscape
	Appeal to the senses	Strong aesthetic qualities, reflecting factors such as scale and form, degree of openness or enclosure, colours and textures, simplicity or diversity, and ephemeral or seasonal interest
		Memorable or unusual views and eye-catching features or landmarks
		Characteristic cognitive and sensory stimuli (e.g. sounds, quality of light, characteristic smells, characteristics of the weather)
<b>Relative wildness</b>	A sense of remoteness	Relatively few roads or other transport routes
		Distant from or perceived as distant from significant habitation
	A relative lack of human	Extensive areas of semi-

	influence	natural vegetation
		Uninterrupted tracts of land with few built features and few overt industrial or urban influences
	A sense of openness and exposure	Open, exposed to the elements and expansive in character
	A sense of enclosure and isolation	Sense of enclosure provided by (eg) woodland, landform that offers a feeling of isolation
	A sense of the passing of time and a return to nature	Absence or apparent absence of active human intervention
<b>Relative tranquillity</b>	Contributors to tranquillity	Presence and/or perceptions of natural landscape, birdsong, peace and quiet, natural-looking woodland, stars at night, stream, sea, natural sounds and similar influences
	Detractors from tranquillity	Presence and/or perceptions of traffic noise, large numbers of people, urban development, overhead light pollution, low flying aircraft, power lines and similar influences
<b>Natural heritage features</b>	Geological and geo-morphological features	Visible expression of geology in distinctive sense of place and other aspects of scenic quality
		Presence of striking or memorable geo-morphological features
	Wildlife and habitats	Presence of wildlife and/or habitats that make a particular contribution to distinctive sense of place or other aspects of scenic quality
		Presence of individual species that contribute to sense of place, relative wildness or tranquillity
<b>Cultural heritage</b>	Built environment, archaeology and designed landscapes	Presence of settlements, buildings or other structures that make a particular contribution to distinctive sense of place or other aspects of scenic quality
		Presence of visible archaeological remains,

		parkland or designed landscapes that provide striking features in the landscape
	Historic influence on the landscape	Visible presence of historic landscape types or specific landscape elements or features that provide evidence of time depth or historic influence on the landscape.
		Perceptions of a harmonious balance between natural and cultural elements in the landscape that stretch back over time
	Characteristic land management practices	Existence of characteristic land management practices, industries or crafts which contribute to natural beauty
	Associations with written descriptions	Availability of descriptions of the landscape in notable literature, topographical writings or guide books, or significant literature inspired by the landscape.
	Associations with artistic representations	Depiction of the landscape in art, other art forms such as photography or film, through language or folklore, or in inspiring related music
	Associations of the landscape with people, places or events	Evidence that the landscape has associations with notable people or events, cultural traditions or beliefs



## Appendix C – Planning Implications<sup>5</sup>

The Government has confirmed that AONBs are equivalent in planning status to National Parks in terms of their landscape quality and scenic beauty.

AONBs were originally established under the National Parks and Access to the Countryside Act 1949, though the legislation was reformulated in the Countryside and Rights of Way Act 2000. Section 85 of the Act contains a general duty on all relevant authorities to ‘have regard to the purpose of conserving or enhancing the natural beauty’ of AONBs when coming to any decisions or carrying out activities relating to or affecting land within these areas. Activities and developments outside the boundaries of AONBs that have an impact within the designated area are also covered by the ‘duty of regard’. The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.

The National Planning Policy Framework (NPPF 2018) is the principal document setting out the Government’s national policies on land use planning, and contains policies specific to protected landscapes (including AONBs) at paragraph 172 (NPPF July 2018). These make a distinction between major developments and other proposals. Planning Practice Guidance (PPG) helps provide further clarity on policies set out in the NPPF.

The NPPF also emphasises that for all areas, including AONBs, the local plan is the starting point for deciding planning applications, and that it is highly desirable for local planning authorities to have an up-to-date local plan in place. Where a local plan is ‘absent, silent, or relevant policies are out-of-date’, the NPPF’s presumption in favour of sustainable development applies in most areas – meaning that the proposal should normally be granted unless the adverse impacts would ‘significantly and demonstrably’ outweigh the benefits of the proposal, when assessed against the policies in the NPPF taken as a whole. However, in AONBs (and in other protected areas), separate policies – in paragraph 172 – apply instead of the presumption in favour of granting permission. This is made clear in paragraph 11 (d) and footnote 6 of the NPPF (July 2018).

In addition, AONBs are required to have Management Plans, and Planning Practice Guidance states that these should be taken into account in local plans and neighbourhood plans, and may also be material considerations in determining individual planning applications.

### **NPPF policy on AONBs**

172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas

<sup>5</sup> <https://www.nationaltrust.org.uk/documents/national-trust-areas-of-outstanding-natural-beauty-and-development.pdf>

should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

NPPF (July 2018)