



South Devon Area of Outstanding Natural Beauty
Strategic context and background to AONBs

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AONB MANAGEMENT PLANS

Support for their revision in England

Prepared by Steve Preston Associates with the NAAONB

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INTRODUCTION

WHO IS THIS DOCUMENT FOR?

This support document is for AONB Partnerships and Conservation Boards and for all who have an influence over the future of Areas of Outstanding Natural Beauty.

Its purpose is to highlight any significant changes that have occurred over the period of extant AONB Management Plans to assist in their revision. It does not provide guidance on the writing of AONB management plans. This is provided elsewhere.

Areas of Outstanding Natural Beauty Management Plans: A guide (CA23) [Click to view AONB Management Plans: A guide](#)

Guidance for the review of AONB Management Plans (CA221) [Click to view Guidance for the review of AONB Management Plans](#)

Guidance on Plan writing and their reviews has been produced in the past by Natural England and the former Countryside Agency to assist plan makers and consultees. Existing guidance documents from 2001, 2006 and 2012 (Annex 1) are still fit for purpose and it is not proposed to update them. However, this document substantially updates the 2012 advice note signed off by Defra, Natural England and the NAAONB.

This support document aims to aid AONB Partnerships and Conservation Boards in taking forward the next round of statutory Management Plan Reviews. In particular, it highlights changes in policy, legislation, issues and drivers over the past 5 years which may have a bearing on how AONBs are managed. It provides helpful reference and source material which can supplement the evidence base and complement the narrative in the Plan reviews, most notably in the "Forces for Change" sections.

There is a statutory basis for the Review and adoption of the AONB Management Plan. This context document will ease the burden on Plan writers and Local Authorities who, as the executive powers behind AONB policy, are charged with producing the Plans.

Many of the issues facing AONBs are universal. Relatively few are unique. This document sets out the context for the Review but applies to England only, and aside from particular considerations, such as coastal or upland drivers, all AONBs will be similarly affected.

As an example, the Management Plan Review can help channel responses to the big issues and questions concerning approaches to natural capital and ecosystem services. These concepts are considered to be important national drivers which will require appropriate local responses in Management Plan Reviews.

The document is designed to save resources by focusing on themes which are common to all AONBs; to stimulate thinking about how local activity reflects the picture and how policies might be reviewed to address key issues and to help share thinking and responses in plan reviews. How existing Plan policies fit the zeitgeist is a matter for AONB Partnerships and Conservation Boards to consider in their Reviews so that local responses can be shaped accordingly i.e. effort is put into responses in the light of a wider and shared understanding of the changing context.

Hence this support document offers an opportunity for AONB Partnerships and Conservation Boards to use stock text where possible in order to demonstrate a nationally coherent approach to those wider issues and drivers effecting multiple AONBs. Thus, Plans deliver

- an integrated approach
- join up of activities and partners
- place-based planning
- best thinking, drawn from national collaboration

and are appropriate for the locality in providing a tried and trusted mechanism for Local Authorities and partnerships which are vital to the delivery of the Management Plans.

Sections 89 and 90 of the Countryside and Rights of Way Act 2000 (the CRoW Act) created a statutory responsibility for Local Authorities and Conservation Boards to produce AONB

Management Plans and thereafter to review adopted and published Plans at intervals of not more than five years.

Although preparation of the Management Plan is the prime responsibility of the relevant Local Authority or Conservation Board, its preparation needs actively to engage and gain the support of all key stakeholders who will assist in its delivery.

WHAT THE LEGISLATION SAYS

Section 89 (10) describes how a Management Plan Review should take place.

Where a Conservation Board or relevant Local Authority review any plan under this section, they shall

- a) determine on that Review whether it would be expedient to amend the Plan and what (if any) amendments would be appropriate,
- b) make any amendments that they consider appropriate, and
- c) publish a report on the Review specifying any amendments made.

Section 89 (11) explains the meaning of ‘relevant Local Authority’

- a) in the case of an Area of Outstanding Natural Beauty which is wholly comprised in one principle area, the Local Authority for that area, and
- b) in any other case the Local Authorities for all the principal areas wholly or partly comprised in the Area of Outstanding Natural Beauty, acting jointly.

Section 90 describes the process for undertaking the review.

(1) A Conservation Board or relevant Local Authority which is proposing to publish, adopt or review any plan under section 89 shall

- (a) give notice of the proposal
 - (i) if the Area of Outstanding Natural Beauty is in England, to Natural England,
 - (ii) if the Area of Outstanding Natural Beauty is in Wales, to Natural Resources Wales, and
 - (iii) in the case of a Conservation Board, to every Local Authority whose area is wholly or partly comprised in the Area of Outstanding Natural Beauty,
- (b) send a copy of the Plan, together (where appropriate) with any proposed amendments of

the Plan, to everybody to which notice of the proposal is required to be given by paragraph (a), and

(c) take into consideration any observations made by any such body.

(2) A Conservation Board or relevant Local Authority shall send to the Secretary of State or the National Assembly for Wales a copy of every Plan, notice or report which they are required to publish under Section 89.

WHAT IS IN THIS DOCUMENT?

Key elements in this updating are

- an emphasis on continued **partnership working and collaboration**,
- a more strategic approach to **monitoring and review**,
- the importance of **shared objectives** across the AONB Family, and
- the importance of **shared objectives** across the AONB Family.

This document also provides clarification on

- **existing guidance** - including AONB designation, legislation and established principles,
- **undertaking the Review** - its scale and scope,
- maximising **opportunities for participation**,
- changes in **Land Use Planning**,
- compliance with the **Strategic Environmental Assessment, Habitats Regulations and Equality Impact Assessment**, and
- the new context - **recent policy drivers** and **changes in legislation and guidance**

BASIC CONSIDERATIONS

PARTNERSHIP WORKING

The AONB Management Plan is a place-based plan derived through local consensus. It seeks to define the approach to conserving and enhancing the natural beauty of the AONB through the application of local solutions to local challenges that also respect the national and international importance of the AONB. It is a plan for the AONB, not just the Partnership or Conservation Board.

Management Plans are vital for partnership working and delivery of designation objectives.

The Plans highlight the value of these distinctive designations to society, they should engage and show communities and partners how their activity contributes to Protected Landscape purposes, thus stimulating investment in the UK's most valued and cherished landscapes. It is therefore vital that Management Plans direct local management activity and can be seen in a wider national context and indeed in a national framework.

Their Review is an opportunity to reaffirm the statutory basis of the designation and refocus partners on the pressures and needs of the AONB. It is an opportunity to engage new partners, test new approaches, and reassert the place for landscape management on the public policy agenda.

It will be important to ensure that we build upon the sound foundations of existing Plans, whilst actively engaging with stakeholders about any proposed changes. At the local level, Plan Reviews should be concentrating on continuity and consistency of management objectives. Consultation should engage stakeholders as it leads to sound planning and engagement with the public and partner organisations. Consultation should be seen as a way of setting direction and thus relieving the burden on Local Authorities not adding to it.

MONITORING AND THE REVIEW FEEDBACK LOOP

A more strategic approach to monitoring has been taken since 2012 by Natural England, Defra, Historic England, the Environment Agency and the Forestry Commission, and Plan Reviews should reflect this. There is now clear scope to focus on the trends in environmental condition using the 6 years of Natural England environmental monitoring which has been provided for all English Protected Landscapes. These environmental outcomes will reflect, to a degree, the management of the AONB by AONB Partnerships and Conservation Boards. A wider context e.g. are similar trends evident in "similar" AONBs and/or National Parks would be helpful in understanding the drivers involved and local responses to them.

Data on local trends in condition are now available to interpret differences in condition in Protected Landscapes e.g. water quality in rivers. Relatively little analysis has been undertaken at a national level to interpret differences in trends and outcomes between Protected Landscapes and resources for Protected Landscapes' managing bodies have not, so far, been linked to environmental condition but that prospect can never be entirely discounted. The prospect does exist to show key environmental outcomes, perhaps even in a league table form, across all Protected Landscapes.

The wider debate on public goods linked to public money may be relevant. Given any significant shift in funding, it seems likely that outcomes (environmental, social and economic) would be more closely scrutinised than they are under the current system. If a case is made for better investment, then it also needs to incorporate how success can be measured.

AONB Partnerships and Conservation Boards are now in a position to address both positive and negative outcomes. Both situations can be used to lever in resources. Plan Reviews should avoid being written in a way that only looks forward, or only provides a current snapshot, and ignores the medium term trends which are now evident within an AONB. The credibility of a Plan will be

weakened if such trends are ignored and the Plan is written from a “year one” perspective.

SELF-HELP AND SHARED OBJECTIVES ACROSS THE AONB FAMILY

As Management Plans Reviews are part of a continuing and well-established process, there is likely be a shift to more self-help in the AONB world. Reviews will need to link into a resource library such as on Basecamp to make best use of sharing knowledge which is widely applicable, as opposed to locally specific.

As part of the wider context, the agreed AONB Family shared objectives are relevant. These are

- Conserve and enhance the natural and cultural heritage of the UK’s Areas of Outstanding Natural Beauty, ensuring they can meet the challenges of the future,
- Support the economic and social well-being of local communities in ways which contribute to the conservation and enhancement of natural beauty
- Promote public understanding and enjoyment of the nature and culture of Areas of Outstanding Natural Beauty and encourage people to take action for their conservation
- Value, sustain, and promote the benefits that the UK’s Areas of Outstanding Natural Beauty provide for society, including clean air and water, food, carbon storage and other services vital to the nation’s health and well-being.

These objectives should be presented up front in the Plan as a statement of intent and serve to provide definition around the delivery of the AONB purpose(s). They have unparalleled value in collectively communicating a nationally shared direction.

EXISTING GUIDANCE

The key Management Plan guidance is contained in existing documents, two for

AONBs (CA23 and CA221) and two for National Parks (CA 216; 1997 guidance) and the 2012 Defra / Natural England / NAAONB advice note.

See Annex 1.

The Protocol (2008) to guide consultation between Natural England and the AONB Partnership or Conservation Board still holds good.

All these documents are still fit for purpose in terms of “how to write and review plans”. We do not propose they be updated.

Also, AONB Partnerships and Conservation Boards have considerable experience of writing and reviewing Management Plans and do not need more advice on how they should go about the task, rather the demand is for more help with making the Reviews as effective and efficient as possible given limited resources to undertake them.

Finally, it is important to stress that the designation of an AONB

- gives formal statutory recognition to these nationally important landscapes,
- requires special land use planning policies to apply, and
- encourages an integrated approach to land management.

An archive of historic references for AONBs is also in **Annex 1.**

UNDERTAKING A REVIEW

Despite austerity, the statutory importance of the Management Plan should be reaffirmed in the review process. Existing Management Plans, as ratified by Natural England, are fit for purpose and meet the standards required.

The scale of the third Review will vary between AONBs to suit circumstances, from a light touch to a comprehensive re-write. The nature of Review should be determined locally and in line with requirements of the AONB Partnership or Conservation Board and the local context.

A light touch Review can provide continuity and show faith in policies. A re-write may give the

opportunity to overhaul policies and set the AONB Partnership or Conservation Board on a better footing.

In any Review, it is likely that the need to make changes increases in the following order for these typical Plan sections

1. Vision
2. Objectives
3. Policies
4. Background context and themes
5. Action / Delivery Plan

AONB Partnership and Conservation Boards will know those areas of their Plans or themes which are constants and do not need re-visiting. They will also have a good idea of the deficiencies and issues to be addressed under the Review.

The NAAONB Strategic Plan sets out the role of the Charity (NAAONB) in working with the AONB Family. [Click to view NAAONB Strategic Plan](#) Messages from the NAAONB Strategic Plan will be helpful in making the link between the NAAONB and the AONB Family. This link is especially important as a reminder of the national importance of the designation.

Protected Landscapes can benefit from working together on common themes, sharing best practice and within a geographic context to conserve resources. This context document is designed to aid that process and save resources.

Within a 5 year production cycle, it is clearly critical that Reviews do not become an activity which take up a disproportionate amount of time and resources. Many partners have said that Plan **delivery** is more important than plan **writing**.

Key elements in the Review process will benefit from sharing ideas on the NAAONB Basecamp Management Plan area. The context provided in section 7 of the document will assist with tasks to elucidate current key drivers and recent changes to policy and guidance.

Partnerships will be all too aware this will be the 4th iteration for most (post CRoW) Plans, the 3rd review and may be seen in the context of an improved monitoring base for important

environmental outcomes and proxy measures (section 5) which will aid Reviews. As such the Review offers the opportunity to set out and celebrate what's been achieved over the past 5 years - the New Forest NPA review (chapter 2) offers one such example. [Click to view New Forest National Park Authority Partnership Plan 2015- 2020](#)

Actual reviews of progress are less in evidence in the Management Plans themselves but may be set out elsewhere as supporting documents, or as a rationale for the Review. The review of progress may become relatively more important in the context of any light touch Review.

The North York Moors NPA has undertaken a very light touch Review and has simply re-published its Plan in 2016 with an amendments report [Click to view North York Moors 2017 Management Plan Review](#) This is the only example of this type of Review.

For AONBs the equivalent approach is set out in s10 of the CRoW Act:

PARTICIPATION

AONB staff actively listen to their local communities. Using their skills, knowledge, and empathy they are able to plan and support the delivery of practical solutions to local land management and planning issues that reflect local interests and concerns. These solutions often help support a sustainable rural economy and improve the health and wellbeing of those that live in, work in, and visit the AONB.

The participation of a wide range of agencies, bodies and local communities is needed to shape and agree the Management Plan. It is important that AONB Partnerships and Conservation Boards examine their approaches to consultation and participation and tailor a meaningful dialogue.

Partnerships may wish to consider what novel methods of participation may be helpful. Historically, online documents and feedback were novel for 1st reviews; the use of social media was

new for 2nd reviews. The use of online surveys such as Survey Monkey has become increasingly widespread. Many Government consultations set out specific questions to key issues i.e. Do you agree? -type questions.

Capturing comments from the widest range of participants is desirable. Partnerships need to reflect on which mechanisms result in better dialogue, more informed responses and help to generate a wider and deeper pool of interest, thus reducing consultation fatigue.

In some cases, Reviews may wish to focus more on the most critical changes, be they new issues or changing policies, and accept much of the Plan has not changed.

Internally Basecamp will be used to share and learn from AONB activity and inspire collective thinking on participation techniques, pooling knowledge, flagging issues and suggesting appropriate responses.

LAND USE PLANNING

AONB Management Plans do not form part of the statutory development plan, but may contribute to **setting the framework** for development by providing evidence and principles which should then be reflected in the Local Authorities' Development Plans.

Management Plans may also be material considerations for decision makers on individual planning applications and at appeal, where they raise relevant issues. Plan policies and references to special qualities have been influential in planning cases thus confirming their status and influence.

The major topic of debate in planning in 2012 was the introduction in March that year of the National Planning Policy Framework (NPPF). This followed an earlier draft version which was viewed less as continuity of policy and more as a "developers' charter" by some. The need to somehow counteract the NPPF through the Management Plans was a moot point in 2012. DCLG was formally involved by Defra in ensuring the 2012 advice on Management Plan Reviews was sound on the role of the Management Plans within the strategic Development Plan.

There remain concerns as to how much the NPPF has allowed inappropriate development either in AONBs and/or their setting, through its influence on local decision making and at appeal. Equally there are cases where the decision to grant planning application has proved controversial where Planning Officer advice, based on policy, has been ignored. As a general rule, it is right to be wary of extrapolating trends based only on contentious decisions.

Individual cases can generate much consternation and publicity but only given the long-term perspective will the broad effectiveness of the NPPF and decision-making be revealed. In this respect the "Bibby reports", existing (and future iterations), provide a suitable long term record for AONBs which can be examined.

The 2014 Bibby report provided a first look at long term trends between 1985 and 2011, with a separate analysis of changes between 2001 and 2011, a timescale linking land use change to population (Census). There are remarkable contrasts in the information pertaining to AONBs on building rates and population change i.e. more houses does not mean more residents. Several AONBs saw a net population loss between 2001 and 2011 despite above average building rates.

Critical to the success of decision-making is the Local Plan, - the absence of which considerably limits the ability to defend planning applications in AONBs. . Local Plans, approved post-NPPF, are increasing in number but coverage is still less than half in England.

Nationally the gaps in approved Local Plans contributed to fears about "development by appeal" when the balance between the two principles in NPPF para 14 a **presumption in favour of development** and the **protected nature of AONBs** (footnote 9) are considered. The treatment of that balance reached the Supreme Court in 2017.

AONBs were highlighted in a 2015 report undertaken by Green Balance for the National Trust. This examined a number of controversial planning decisions with case studies. The

research found some shortcomings in the way existing planning policy is being applied on the ground. Natural England also undertook similar research in 2014 and highlighted seven case studies.

Defining major development in AONBs has been the subject of some debate and comparison between cases, as any planning application considered to be major development has to meet the stringent tests set out in paragraph 116 of the NPPF before it can be approved. Understanding major development has moved on in recent years and its definition has been clarified by DCLG.

The Council for National Parks also examined, through Sheffield Hallam University, controversial cases, with a focus on major development, within and around National Parks and also examined how National Park Authorities defined Major Development.

MONITORING

A partnership of representatives from Natural England, Defra, the NAAONB, National Parks England and English Heritage developed the Protected Landscapes Monitoring Framework (PLMF). The first data release was spring 2013 so there is now 5 years' worth of monitoring information. Each AONB level now has its own trend data. This provides new information for Plan Reviews and the basis for a much better section on monitoring for the Management Plan Preview. Monitoring is an area which has been identified as a weakness in management planning because insufficient attention has been paid to identifiable trends and establishing monitoring systems which are often prohibitively expensive. As a result of the PMLF trends can now be examined more easily.

The PMLF also provides a consistent means of monitoring some of the environmental outcomes that occur in Protected Landscapes, and which the wide range of relevant Authorities and local people will be helping to deliver via the Management Plan.

As part of this process, robust national data can be used as evidence in Management Plan Reviews e.g. State of the Environment Reports.

Of course this can be supplemented and amplified by local monitoring where it is feasible to collect such data or indeed qualitative information.

Monitoring in Protected Landscapes

Forest of Bowland State of Environment 2014

[Click to view Forest of Bowland State of Environment 2014](#)

Malvern Hills - lots of photos in first 20 pages - but useful Trend in Condition narrative / tables.

[Click to view State of the Malvern Hills AONB 2014](#)

YDMNP MP Progress reports - traffic lights / objectives.

[Click to view Yorkshire Dales National Park Management Plan](#)

Northumberland National Park Authority will lead the process of monitoring and reporting progress on the Plan as a whole, and continue to use the agreed set of performance measures to monitor the condition of the National Park and to measure progress in achieving the vision, aims, outcomes and objectives of the Management Plan.

[Click to view Northumberland National Park State of the National Park Report 2015](#)

But also note **Peak NPA view May 2017**

....However, the report concluded that reporting and monitoring of the NPMP 2012-17 had been difficult and in many cases it was unclear what added value the plan had brought to the management of the Peak District National Park

[Click to view Peak District NPA - Public reports pack 26th-May-2017](#)

Other contextual information is available

Defra Statistical Digest of Rural England - March 2017 Edition. Context

[Click to view Defra Statistical Digest of Rural England](#)

AONB Agricultural Statistics

[Click to view Structure of the agricultural industry in England and the UK at June](#) (AONB stats 2007 - 2013 in spreadsheet).

Latest available results are for 2010 and 2013. Next updates will relate to 2016 and 2020.

The basic question: "How are AONBs doing?" is never far away in policy reviews, and so the evidence base provided by the current PMLF is

extremely valuable and should be used by AONB Partnerships and Conservation Boards.

Natural England and other agencies, should also utilise the information provided by the PLMF to help inform their responses to the Reviews.

This improved monitoring provides a significant step change for Plan Reviews both in analysis of key information on environmental outcomes, but also in how policies and activity might respond to changes in condition.

COMPLIANCE WITH THE STRATEGIC ENVIRONMENTAL ASSESSMENT AND HABITATS REGULATIONS

AONB Management Plans are subject to

- Strategic Environmental Assessment (SEA) Regulations, and
- Habitats Regulations

Equality Impact Assessments are **no longer required**.

Overall there is nothing to add to the well-established SEA and HRA procedures compared to the advice in 2012.

There will be variations as to how the assessment processes are viewed; for some they may represent just another minor hurdle on the way, in other cases running a rule over policies and activity may well help to refine plans and iron out any ambiguity. It is not expected that SEA and HRA would generate a lot of work or reveal fundamental issues with policies and activities.

NEW CONTEXT - CHANGES AND DEVELOPMENTS SINCE 2012

The context to Management Plans will change in accordance with both local and national influences. Themes which may require some new thought and policy response include

- Economics of AONB
- Planning
- Agri Environment Support
- State of the Environment
- Natural Environment White Paper (NEWP), Natural Capital and Ecosystem Services

- Post-Brexit views and implications for post-CAP support to farmers and land owners
- Health Issues
- Renewables Policy
- Marine Planning and the MMO
- The Historic Environment
- Water, Working with Water Companies and Catchment Management
- Education
- Miscellaneous

All these areas have seen significant changes since 2012 and provide ample opportunities to stimulate the review of the Management Plan.

These topic areas are set out below in detail with some commentary to guide the reader. Direct quotes from sources are shown in *italics* and source material is referenced.

In addition, Reviews may wish to encompass the role of the partnership and the challenges and opportunities which it faces, not least set against the backdrop of grant-in-aid cuts between 2012 to 2016.

The stabilisation of Defra grant-in-aid since 2016 is encouraging and gives confidence to AONB Partnerships and Conservation Boards. It should be noted and promoted that Defra's commitment was heavily influenced by the ability of AONB Partnerships and Conservation Boards to develop projects and draw in significant external funding, often at £10m per annum.

ECONOMICS OF AONBS

The AONB designation has helped to conserve and enhance some of England's finest landscapes. These landscapes are highly valued by businesses as economic assets in their own right and as settings which add value to business. Well managed landscapes offer a wealth of natural resources that serve as the foundations of rural business, including farming and forestry. Their beauty and international appeal also offers opportunities for tourism related businesses. AONBs are living, working landscapes that contribute £16 billion GVA to the national economy.

The Cumulus study gives an overview of the Economics of Protected Landscapes. Land management is heavily subsidised in all AONBs but most of the (Pillar I) subsidy is not linked to land management unlike the subsidy provided for agri-environment schemes (Pillar II). One recent change has been the increase in Moorland payments, a relative shift in funding from lowland to upland. In GDP terms, farming may be relatively small component of the AONB economy - likewise tourism. However, these sectors are most intrinsically related to natural beauty and recreational use of the AONB.

AONBs are generally sparsely populated rural areas, c 471,000 households or about 1.96 % of England's population in 15% of the land area, so they are not expected to be economic powerhouses. The AONB population grew by 3.4% between 2001 and 2011 against a national rise of 7.9%.

The Natural Environment White Paper (NEWP) stimulated discussions about management and payments for ecosystem services and the prospect of markets for such public goods/services. Post-Brexit there has been more public discussion about the annual £3bn of subsidy - with cases for status quo, reduction or targeting e.g. payment for services. These discussions provide a ready stimulus for what the

Management Plan might cover and a likely boost to more environmental focus to economic support for land management? At worst, it is at least an open door for a debate. There could still be polarised positions but discussions might pose the question of no subsidy compared to subsidy switch to environmental outcomes, or even social and economic ones.

There is significant uncertainty over CAP reform. It may, therefore, be sensible to set out consistent messages on the desired environmental and associated social and economic outcomes in the plan, and not be more prescriptive about how any support would work.

Regardless of post-Brexit discussion, there will be continued changes - given trends such as loss of labour, increasing farm size, contractorisation, capitalisation and mechanisation. All of this set is set against wider environmental issues linked to modern farming - common farmland birds, bees. [see 4. State of Nature]

Markets in goods and services e.g. carbon, were envisaged by NEWP. There is a huge range of options so is it worth contemplating them, especially in the absence of a functioning market for environmental outcome? Water management - drinking water and flood alleviation markets - is the most obvious starting point given its link to land management. Water company views on catchment/aquifers may be telling - are there business advantages from cleaning up water as opposed to reducing diffuse pollutants at source? The current clean-up model provides certainty and the investment is almost certainly to be approved. Ofwat has a role in considering capital investment.

Whilst the economics of land management is strongly linked to landscape, it is but a small part of the wider economy and GDP, tourism and the public sector will be far more important at the AONB level (see individual **AONB Socio Economic Profiles** produced by Defra- latest release 2015).

Many studies show the quality of the environment is a draw for entrepreneurs and businesses of all kinds not directly exploiting the landscape/recreation. Lifestyle businesses have received some attention but may be overlooked.

These may be new start businesses formed by experienced people who have changed direction after many years of work. Fast broadband may be a pre-requisite to enable the move of footloose industries/ entrepreneurs.

'The Economic Contribution of Protected Landscapes 2014 Defra. "Cumulus Study" 2014. Cumulus Consultants Ltd and ICF GHK. Unpublished 2014

[Click here to view The Economic Contribution of Protected Landscapes](#)

provides a useful overview of the economics of Protected Landscapes and the value of the designation.

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Protected landscapes benefit the wider economy by providing attractive places to live, visit and recreate, and by delivering essential ecosystem services on which the wider economy depends. For example, evidence demonstrates that a high proportion of the residents of protected landscape areas work in professional, managerial and scientific occupations, many commuting to neighbouring towns and cities. Many protected areas are highly accessible from major conurbations, providing important places for recreation for urban residents. They provide essential ecosystem services, helping to enhance the quality of air and water and to regulate flooding, thus benefiting companies and individuals beyond their boundaries.

For these reasons, the economic benefits of protected landscapes are likely to be much greater than their direct contribution to the economy, yet there is a shortage of evidence of the dynamics of the interactions between protected areas and the wider regional and sub-regional economies.

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The finding that businesses in protected areas see themselves as being dependent on landscape and the environment is perhaps unsurprising, given the structure of the local economies and importance of the tourism and land management sectors, as well as associated support services. The extent to which businesses outside these

sectors benefit from environmental and landscape quality, and the factors that may affect these linkages, is less clear, and would benefit from further research and case study evidence.

A limitation of the available evidence is that – while the surveys show that landscape and environmental quality are important – they provide limited insight into the added value of protected landscape designations. It is clear that many businesses would be adversely affected if the environmental quality of protected landscape areas was allowed to decline substantially.

Areas of Outstanding Natural Beauty (AONB) Working together to support the rural economy.

NAAONB - Rural Economic Growth Review 2011.

[Click here to view Rural Economic Growth Review](#)

In part this led to the joint **Tourism Accord between the NAAONB, Defra and VisitEngland** [Click here to view Working Towards Sustainable Tourism in England](#)

and RDPE funding for tourism projects in the North East - Northern Land.

Rural Tourism Framework - Final Report URS 2014

[Click here to view Rural Tourism Framework - Final Report URS 2014](#)

Richard Clarke, NAAONB Policy and Development Manager, Landscapes for Life Conference 2015

[Click here to view Rural Economy Barriers Opportunities and Risks Affecting ec](#)

So Much More than the View 2015

[Click to view So Much More Than the View](#)

"The economies of our AONBs and National Parks are reliant on tourism, agriculture and other land-based activities. These activities depend on high quality natural environments that the landscapes provide; but can also help maintain and enhance those environments. Attracted by the qualities of our finest landscapes, technology and creative industries are also flourishing".

The Value of AONB Partnerships and Conservation Boards - An independent assessment prepared for AONB Partnerships and Conservation Boards LUC 2013

[Click to view Value of AONBs Report](#)

Assessment of the economic value of the Cotswolds AONB 2013 Cumulus and GHK

[Click to view Assessment of the economic value of the Cotswolds AONB](#)

is likely to be a typical of the economy of many AONBs, although the size (area and population) of Cotswolds, makes it somewhat atypical in AONB terms.

Dorset's Environmental Economy December 2015 PLACING AN ECONOMIC VALUE ON THE DORSET AONB

[Click here to view Dorset's Environmental Economy](#)

shows that the quality of the Dorset environment is a key influence for people to visit the area. The business survey showed a demonstrable positive impact of the AONB status on businesses' performance.

Analysis of the Economic Profile of the Forest of Bowland AONB, Rural Futures and Rural Solutions (2013)

[Click here to view Analysis of the Economic Profile of the Forest of Bowland AONB, Rural Futures and Rural Solutions](#)

Is an excellent profile with great maps showing business locations.

"It has not been possible to accurately quantify the economic contribution of the AONB due to limitations in data and the scale and scope of this work. It seems apparent however that the agricultural sector generates in the region of £20 million a year, the sporting sector in the region of £3 million to £4 million and the tourism sector up to £16 million. This total economic contribution of the AONB is likely to be far greater than this however. These figures do not include the value generated from trading of the 50 odd pubs and restaurants and 80 odd holiday accommodation venues. They do not include the value generated to businesses on the fringe of the AONB in Wyre, Lancaster, Pendle and Ribble Valley that benefit from its ability to attract people to travel to the area from their homes elsewhere, or the value

added to products which use the Bowland brand such as Bowland Brewery. The "Bowland" brand has not been widely used commercially to date and it offers a valuable link to the AONB where effectively applied and where the marketing of the AONB is strong enough to compete with other uses of the word "Bowland" such as are increasingly associated with shale gas deposits².

The interest in the Bowland area from high net worth individuals and established businesses investing in the tourism and leisure sector is an exciting opportunity to leverage further economic opportunity and enhance the sustainable economic contribution of the Forest of Bowland AONB, and its influence and contribution to areas on the fringe of the AONB. The increased availability of high speed broadband in the Bowland area should also provide an additional catalyst for small scale but "footloose" and inherently sustainable economic development within the designated landscape area.

Hindle R and Welbank J, 2013.

What Areas of Outstanding Natural Beauty can offer the LEPs. 2015

[Click here to view What AONBs can offer the LEPs](#)

The Economics of AONBs - studies of local businesses

The importance of footloose industries and especially micro businesses is relatively poorly-understood but there is some evidence (PIU Rural Economies Report 1999 5.7) which suggests business may locate to AONBs because of QoL factors; and thus environmental quality can confer economic advantage. The Economic Value of Protected Landscapes in the North East of England. A report to ONE North East in 2004 by SQW Limited economic development consultants also reached some similar conclusions

"The research demonstrates that the five protected landscapes considered here represent an important asset to the North East region, accounting for 11% of all tourism activity. Through businesses and the effects on tourism these areas generate output of £700m and support 14,000 jobs. For the majority of businesses in these areas, the quality of the landscapes and the environment was considered to be a factor in their performance. In the North Pennines AONB, for example, half of the businesses believed that a deterioration in

conditions would have a serious impact on their operations.”

SQW also undertook research in Yorkshire in 2006 for the Council for the Protection of National Parks (CNP) which sought to understand the socio-economic conditions in and just outside the National Parks and how the high quality landscape and / or designation affected business activity.

Broadband roll out Most AONB Management Plans recognise the need for fast broadband for rural businesses - such infrastructure can diversify the economy and promote better paid jobs in footloose businesses which may be attracted to AONBs.

The Growth and Infrastructure Act
[Click here to view The Growth and Infrastructure Act](#)

makes provision for amending the DCMS Secretary of State’s duties under the Communications Act (including promoting growth) for a period of 5 years. However due to the weight of interventions by interested parties and a helpful new clause developed jointly by NAAONB and National Parks England, the Act **does not** make changes to S85 of CRoW.

s9(2B) *The Secretary of State is to be treated as also having complied with any duty imposed in connection with that exercise of that power by any of the following - section 11A(2) of the National Parks and Access to the Countryside Act 1949; section 85(1) of the Countryside and Rights of Way Act 2000;*

- *government target is to deliver superfast broadband to at least 90% of premises in the UK, with the aim to extend this to 95% by 2017 (on target)*

Overviews of Broadband Roll out
[Click to view House of Commons Library - Superfast Broadband Coverage in the UK](#) March 2017

[Click to view House of Commons Library - Rollout of superfast broadband to rural communities](#)
Rural roll out debate Feb 2017

5G Feb 2017
[Click to view House of Commons Library - 5G](#)

Review of How the Planning System in England Can Support the Delivery of Mobile Connectivity Call for Evidence July 2015

[Click to view Review of How the Planning System in England Can Support the Delivery of Mobile Connectivity](#)

[Click to view Mobile planning changes - technical consultation on proposed changes to the Electronic Communications Code](#) March 2016

Letter - Mobile planning changes - technical consultation on proposed changes to the Electronic Communications Code (Conditions & Restrictions) Regulations 2003

The natural environment underpins the economy through the provision of goods and services, more specifically its use in farming, forestry, housing, business, transport, energy, tourism and recreation. However, space and natural resources are limited and increasingly contested. The land use planning system is designed to help achieve optimal outcomes for society when decisions on land use priorities must be made.

AONB teams can provide specialist advice to help public bodies and statutory undertakers make decisions on planning matters. In doing so, they can help these bodies to meet their legal duty to have regard to the purpose of conserving and enhancing the natural beauty of AONBs, and ultimately help ensure that planning decisions result in sustainable outcomes.

PLANNING

The National Planning Policy Framework NPPF (2012) has produced most of the headlines in planning. The relative shortage of Local Plans means there are ongoing issues, given this means the statutory development plan is not up to date, and thus the protections to AONBs offered by NPPF are covered in paragraph 14 footnote 9 which many have felt is inadequate as a fallback position even though it has been used in many

appeals. Progress towards the approval of Local Plans has been slower than hoped for.

A National Trust study gives a useful overview of the situation and the more difficult cases; this followed an early investigation of the status of Local Plans by URS for NE which also covered seven case studies.

[Click to view The National Trust report on AONBs and Development](#)

How to define Major development also got an airing in discussions with DCLG which realised guidance in response.

The role of the (statutory) MP in planning is powerful as it helps to set the Framework for Development. MP policies and special qualities are vital sources of information and are regularly quoted in Planning Officer reports and in Appeals.

Whilst there may be a local need to report present and ongoing concerns based on NPPF and the absence of Local Plans it should also be recognised that pre-CRoW position was much weaker - not least with key advocacy role of the AONB unit / partnership ably supported by the Management Plan.

It is inadvisable to plot the future based on a handful of high profile cases involving large sites; the vast majority of AONB development involves just a very few houses.

Most AONBs will have issues concerning the lack of affordable housing and these are often rehearsed in the Management Plans and in planning submissions. Many Plans will include policies which are positive to the provision of affordable homes given proven local need.

There were several attempts which looked to alter the permitted development regime over the period i.e. to make it easier to create new dwellings and businesses. Most of these were resisted by AONB Partnerships and Conservation Boards and amenity organisations. Despite reviews most classes of development, outside agricultural and forestry developments, still require full planning permission.

There is nothing much to add on **Major Infrastructure - NSIP**. Much the same planning regime is in place now compared to 2008.

[Click to view National Infrastructure Planning Guidance](#)

Relatively few major schemes affect AONBs except - Hinkley Point, Sizewell C, HS2, North West Connector, major road upgrades A417, A303.

This is a link to the Infrastructure Projects in England and Wales.

[Click to view National Infrastructure Planning Projects](#)

Bibby Report - A Report Prepared for Defra Land Use Change in Protected Landscapes (AONBs and National Parks): A Guide to the Tabulations (LAND USE CHANGE INDICATORS FOR PROTECTED AREAS) 2014 (1985-2011 and 2001-2011 data)

[Click to view Land Use Change in Protected Landscapes](#)

Background and research aims

This report is an analysis of key land use change data in Areas of Outstanding Natural Beauty and National Parks which shows how development, both residential and non-residential, has proceeded in each area since 1985 until 2011. It contains a separate analysis taken from 2001-2011, supplemented by Census data.

It is in two parts – the first being a report dominated by a series of tables with brief introduction to the topic and methodology. It is to the same format as a report for Natural England in 2007.

The second part is a new report which is a narrative guide to the tables. It expands on the findings, highlights the characteristics of particular areas, and provides some informed comment on the data.

Project findings

- Over the long term, planning policy has reduced development within Protected Landscapes (PLs), to approximately two thirds

of what might have been expected compared with equivalent areas just outside.

- Major housing development is rare within PLs. The typical pattern of development is very small developments of a few houses which reinforce the characteristic settlement pattern.
- The average housing site in a PL is for 2.2 houses. The vast majority of all planning decisions in PLs are delegated to officer level.
- The rates of development in PLs, including both green-field and brown-field/building conversion, are above the national average.
- In many PLs, the rate of conversion of buildings is high, very occasionally higher than new build, largely due to the attractiveness of such conversions and planning policy.
- The balance of greenfield/brownfield development has changed very little since 1985 to the present, being approximately half and half.
- It is harder to draw conclusions for non-residential land use change as the detail in LUCS is less precise, nevertheless considerable areas of land have been developed for industrial use, roads, services and for farming developments within PLs.
- Despite relatively high rates of building and conversions leading to relatively high rates of household creation in several PLs, population has not risen in line with household creation. This suggests that open-market sales of new and existing houses as second homes are having an impact. In some PLs there have been net falls in population.
- The evidence allows long term views from both 1985 to 2011, and from 2001 to 2011, to be taken, which removes short-term trends and the focus on high profile cases which are atypical.
- In future it should be possible to investigate data to look at where housing has been built compared to the pattern allocated in the Development Plan, revealing whether development occurs where it is expected, or not.

2016 NAAONB Response to Changes in National Planning Consultation

[Click here to view 2016 NAAONB Response to Changes in National Planning Consultation](#)

Detailed responses given for Affordable Housing, Commuter hubs, new settlements, brownfield sites, small sites for housing, housing allocations, starter homes on exception sites.

- *The NAAONB supports the provision of affordable housing in AONBs, which conserves and enhances the purposes of the AONB designation and responds to the housing needs arising in AONB settlements.*
- *The NAAONB has fundamental concerns about the implications of the proposals upon the purposes of the AONB designation which is embedded in the 1949 National Parks and Access to the Countryside Act and the Countryside and Rights of Way Act 2000.*
- *HMG is clearly directed by Section 85 of the Countryside and Rights of Way Act 2000, as amended, to have regard for the purposes of AONBs when carrying out its functions and we hope it will listen carefully to our concerns.*
- *Our key reason for concern is that within our nationally protected landscapes, the conservation and enhancement of the special qualities and characteristics of these landscape designations is the priority. New housing development within AONBs or affecting their setting should not compromise this primary purpose. We have deep concerns that the proposals will result in significantly increasing development pressure and harm to our protected landscapes. AONBs are safeguarded in the national interest because of their outstanding landscape character and natural beauty. Development should contribute to meeting the needs arising from within the designation and those needs should be met whilst still achieving the primary purpose of AONBs – to conserve and enhance natural beauty.*
- *The NAAONB considers that AONBs are justified to be considered as an exception to the proposed changes.*

Rural planning review: call for evidence 2016/17
[Click here to view Rural planning review: call for evidence 2016/17](#)

The rural planning review call for evidence sought views on how the planning system was operating in rural areas and invited ideas about how the planning system could be improved to support sustainable rural life and businesses.

This publication provides a summary of the responses to the rural planning review call for evidence and sets out the government response.

It also seeks views on extending the thresholds for agricultural permitted development rights to help farmers, and on a new agricultural to residential permitted development right to help provide housing for rural workers. (10.14-10.15).

The document says that to "further support delivery of rural homes for rural workers", the government is consulting on a new agricultural-to-residential use permitted development right. It says this would allow conversion of a farm building of up to 750 square metres, for a maximum of five new dwellings, each with a floorspace up to 150 square metres. The government is looking how to "ensure these properties meet local need". The paper asks if this new right should have similar conditions to the existing Class Q permitted development right that allows agricultural-to-residential conversion but only up to three units and 450 square metres.

DCLG Housing Starts and Completion Tables
[Click here to view DCLG Housing Starts and Completion Tables](#)

National and UK data.

Long term analysis of housing which shows the number of new units created (starts and completions) by private means, through Housing Associations and by Local Authorities; data by country; %s of house types also shown e.g number of bedrooms. Provides ammunition to the argument that not enough houses are being built. No LA-specific breakdown of figures here. Covers start and completions but not number of permissions granted - separate issue of permissions not being carried forward by big house builders and accusations of land hoarding. Far less likely to apply in AONBs given average

development site is so small and reactively higher rate of delivery albeit from a smaller stock baseline.

Local Plan-making under the NPPF: A five-year progress report - (Lichfield)06 Apr 2017

[Click here to view Local Plan-making under the NPPF: A five-year progress report](#)

Planned and deliver – our fifth annual review of local plan production – reveals that, after half a decade with the National Planning Policy Framework (NPPF), England still has patchy plan coverage. Fewer than 4 in 10 local planning authorities have seen a 'strategic-level' local plan through examination to adoption, whilst 43% are yet even to publish a draft local plan ready for submission to Government.

- **Local Plans Progress - Jan 2016** - 32% of council had up to date plan. Nathaniel Lichfield's data. See map.

Housing Policy and para 49 - Supreme Court Ruling May 2017

This was seen as the final resolution of the interpretation of the NPPF, and its presumption in favour of development, following several high profile decisions in the Court of Appeal. These areas of NPPF have been to the fore where there is **no approved Development Plan** and thus footnote 9 to para 14 has often acted as a stop gap policy in AONBs (and green belt).

Several other cases concerning paragraph 14 and footnote 9 went to the High Court and Court of Appeal e.g Cheshire East BC v SSCLG & Renew [2016] EWHC 571 (Admin).

[Click to view Court Judgment: The operation of Paragraph 14 of the NPPF](#)

[Click to view Presumption in Favour of Sustainable Development](#)

Housing Policy and para 49 - Supreme Court Ruling May 2017 Suffolk Coastal District Council v Hopkins Homes Ltd and Richborough Estates Partnership LLP v Cheshire East Borough Council [2017] (two separate but related cases)

[Click to view Supreme Court NPPF Judgment](#)

Cotswold DC argument in Tetbury case 2013
[Click here to view Cotswold DC argument in Tetbury case 2013](#)

8.56 Even if it were considered that the Development Plan policies were absent, silent or out of date this would not result in any presumption in favour of the proposal under paragraph 14 of the Framework, because footnote 9 to that paragraph makes clear that this does not apply where specific policies in the Framework indicate that development should be restricted. Footnote 9 refers to policies relating to the AONB. This in turn requires the application of paragraphs 115 and 116, which require major development in the AONB to be refused, unless there are exceptional circumstances and the proposal is in the public interest.

Inspector's Conclusions

14.45 SP Policy NHE.4 seeks to restrict development within the AONB. On the basis that Tetbury (and much of the Cotswold District as a whole) is washed over with the Cotswold AONB designation, the appellant contends that this policy is relevant to the supply of housing in the terms of paragraph 49 of the Framework, and so should be considered out of date [9.9, 9.10]. But even if that were so, footnote 9 to the second bullet point of Paragraph 14 makes it clear that where specific policies in the Framework "for example, those policies relating to... land designated as... an AONB" indicate development should be restricted, then the presumption in favour of granting permission does not apply. That is the case here.

Land Use Change Statistics 2015/16 DCLG - includes references for online tables

[Click to view Land Use Change Statistics England](#)

Housing Development and AONBs Report A (results of questionnaire to LPAs) and **Report B** (7 case studies). April 2014 URS for Natural England. Not online but available from NE.

AONBs and Development 2015 - National Trust
[Click to view National Trust AONBs and Development](#)

Includes major cases and tests to assist local authorities in applying law and policy in AONBs and in their setting.

The Green Balance recommendations set out below address some key problems highlighted in this report:

1. Decision makers in AONBs should apply the tests identified above when deciding planning applications for development within (and in the setting of) AONBs.
2. Ministers should make clear how they intend to deliver their commitment to the proper protection of AONBs through a Ministerial Statement, consistent with the manifesto pledge.
3. Government should consider whether a version of the tests set out in this document would be a useful addition to Planning Practice Guidance.
4. Government should ensure that practitioners are trained to improve the implementation of AONB law and policy. Professional advice should be provided by local authorities' own staff, supplemented by each AONB Partnership or Conservation Board. The necessary resources should be provided to enable AONB Partnerships and Conservation Boards to make their case effectively as necessary in writing, and orally at public inquiries, hearings and Local Plan Examinations.

AONBs and Development 2015 [Click to view Development in and Affecting AONBs](#) - covers policy, policy implementation and 15 case studies.

- ..Trust commissioned research from planning consultants Green Balance, which looks at case studies where significant development has been approved in AONBs. The research finds some shortcomings in the way existing planning policy is being applied on the ground
- **National Parks - Planning for the Future** CNP/NT/CPRE. Sheffield Hallam Study - 2016. The full evidence report - major development inside and near NPs- is available to download from [Click to view Report on major development in National Parks](#)

Planning Reform Proposals 2017

[Click to view House of Commons Library Planning Reform Proposals](#)

Useful summary of past changes which are now policy as well as future options including 2017 Housing White Paper.

Housing White Paper 2017 – Fixing the Housing Market

It is vitally important AONB Partnerships and Conservation Boards are not seen to be part of the problem, but can help towards finding solutions.

[Click to view House of Commons Library - Planning reform in the housing white paper](#)

National Trust Expectations for Housing White Paper - includes background stats on rates approval / supply.

[Click to view Housing White Paper – what are we looking for?](#)

Wildlife Link Response to Paper

[Click to view Wildlife Link Response to the Government's Housing White Paper](#)

Rise of Neighbourhood Plans. Progress. AONB involvement?

There are now many Neighbourhood Plans in AONBs which will help set the pattern for future development. Some Neighbourhood Plans have addressed the issue of the high percentage of **second homes** notably in Cornwall e.g St Ives; St Minver. The 2017 Rame Peninsula Neighbourhood Development Plan includes a policy that stipulates that "new open market housing will only be permitted where there is a condition restricting occupancy as a principal residence". The condition will require that such homes "are occupied by the owner or their tenants as their primary principal residence".

The St Ives policy on second homes was challenged in the High Court but the case was rejected this because the policy "was not merely to make more housing available to local people but rather to reduce the proportion of second homes" in the town so the policy (H2) to require new residential dwellings to be occupied as a person's "principal residence" has been retained.

[Click to view High Court: St Ives second home policy lawful](#)

[Click to view RLT vs Cornwall](#)

Neighbourhood Planning Bill -2017

[Click to view Neighbourhood Planning Act 2017](#)

Neighbourhood Planning Bill received royal assent immediately before parliament was prorogued..... Only sections 1 to 7 are concerned with neighbourhood planning, and these provisions will not come into effect for the time being. Sections 8 to 13 deal with local development documents, and these too will have to await implementation until some time after the General Election.

Design Guides - positive aspect of AONB planning - examples

- [Click to view Design Guide for the Built Environment](#)
- [Click to view North Pennines AONB Building Design Guide](#)
- [Click to view Chilterns AONB Buildings Design Guide](#)
- [Malvern Hills AONB Building Design Guide](#)

Malvern Hills Guidance - use of colour

[Click to view Malvern Hills AONB Guidance Documents](#)

The purpose of this document is to provide direction and guidance on how colour can help new development fit with the special landscape of the AONB and contribute to the local distinctiveness of the area.

Live tables for statistics on planning applications at national and local planning authority level.

(annual and quarterly returns on key data - applications decided, approval rates etc.)

[Click to view Live tables on planning application statistics](#)

Consumer Data Research Centre - Maps (postcode) showing population 2011-14 / development changes / house price etc

[Click to view Consumer Data Research Centre - Maps](#)

Affordable Housing Threshold (2014 - 2016) - suggested changes to **lower the threshold number to provide affordable housing** were subject to court proceedings - reaching the Court of Appeal where the Govt. was successful in bringing in changes.

The standard threshold is 10-units or 1000 sqm gross floorspace – so affordable housing requirements could be applied to a scheme with 10 or fewer units but more than 1000 sqm floorspace. In some rural areas – notably AONBs and National Parks – the threshold is reduced to 5-units (but no reduced floorspace threshold).

[Click to view Planning Obligations](#)

in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty

Paragraph: 031 Reference ID: 23b-031-20161116

See also **National Parks England**

[Click to view NPE Planning Performance and Planning Contributions](#)

Permitted Development

2013 Greater Flexibilities for Change of Use - DCLG Consultation - this was the consultation on extending permitted development rights which was particularly controversial in potentially opening up agricultural buildings for residential development. Characterised by a “home on the farm”, or pejoratively “a house in a field” according to the viewpoint. YDNPA response (not overruled by DCLG) was to bring in an Article 4 direction covering the whole of the park so that **any** barn conversion would need full planning permission.

On 14 March 2014 the then Government officially responded to the consultation on new permitted development rights. It confirmed that it would go ahead with the majority of these new change of

use permitted development rights as proposed. An exception to this was that the change to allow agricultural buildings to convert to residential use would **not apply** in areas of National Park land and other protected areas.

The conversion of **office to residential use** is not restricted within an AONB or National Park unlike most other classes such as agricultural to residential.

Overall this has been a confusing picture over recent years with some many amendments to the Permitted Development Order to see the way for more development. Further changes and amendments cannot be ruled out.

(See Martin Goodall on the subject “A Practical Guide to Permitted Changes of Use”

[Click to view Martin Goodall's Planning Law Blog](#))

See **2016 Parliamentary Briefing** gives a useful summary, including barn conversions [Click to view Planning: change of use](#)

7.2 A new permitted development right, for a three year period, will allow storage or distribution buildings (B8) to change use to residential (C3).

The new right does not apply in National Parks, Areas of Outstanding Natural Beauty, the Broads and World Heritage Sites, Listed Buildings or land within the curtilage of Listed Buildings, Scheduled Monuments, or in Sites of Special Scientific Interest, Safety Hazard Areas and Military Explosives Storage Areas. After changing to a residential use, existing permitted development rights for dwelling houses (C3) will not apply

Summary of responses to the technical consultation on implementation of planning changes, consultation on upward extensions and Rural Planning Review Call for Evidence

[Click to view Summary of responses to the technical consultation on implementation of planning changes, consultation on upward extensions and Rural Planning Review Call for Evidence](#)

Major Development

There are some real concerns expressed by some AONB Partnerships and are led by Cotswolds Conservation Board

[Click to view Major development in AONBs and National Parks](#)

calls for the definition of Major Development e.g. linking to definition in The Town and Country Planning (Development Management Procedure) (England) Order 2015.

[Click to view The Town and Country Planning Order](#)

DCLG Guidance has kept the concept flexible and the courts have largely agreed that the Development Order definition cannot be relied on.

There is no definition of major development in the Framework, and the Planning Practice Guidance, published in March 2014, sets out that whether a development can be considered major will be a matter for the relevant decision taker, taking into account the proposal in question and the local context.

Major Development - DCLG explanation

PPG Paragraph: 005Reference ID: 8-005-20140306

[Click to view Guidance - Natural Environment](#)

How is major development defined in Areas of Outstanding Natural Beauty and National Parks for the purposes of the consideration of planning applications in these areas?

....Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision maker, taking into account the proposal in question and local context.

Revision date: 06 03 2014

Sheffield Hallam Study - 2016 National Parks and Major development

National Trust Views on NPPF 5 years on

[Click to view Happy 5th Birthday NPPF!](#)

“On 27 March 2012 the Government put in place a new rulebook for the planning system – the National Planning Policy Framework (NPPF). The NPPF aimed to simplify and consolidate existing

Government planning guidance, but also made some significant changes to national planning policy. Controversially, the draft NPPF published in July 2011, proposed creating a ‘presumption in favour of sustainable development’ – or a default ‘yes’ to development – leading many (including the National Trust) to launch campaigns to get the draft revised. We published our own research in 2015 which showed that found that the NPPF contains a good level of protection for our Areas of Outstanding Natural Beauty, but that there were too many examples of these protections not being applied by decision-makers. And research by Sheffield Hallam University published in November (sponsored by the National Trust, CPRE, and the Campaign for National Parks) found that short-term economic priorities are overriding long-established protections and allowing inappropriate development in England’s National Parks”.

Brownfield Register - [Click to view Brownfield registers and permission in principle](#)

Brownfield registers will provide up-to-date, publicly available information on brownfield land that is suitable for housing. This will improve the quality and consistency of data held by local planning authorities which will provide certainty for developers and communities, encouraging investment in local areas. Brownfield registers should include all brownfield sites that are suitable for housing development irrespective of their planning status. The proposals came in to force in mid April 2017. Local authorities will be expected to have compiled their registers by 31 December 2017.

High profile cases covering para 115 and 116 are to be found here:

[Click to view Section 11 – Conserving and Enhancing the Natural Environment](#)

New EIA rules in force from mid-May 2017

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 have been laid before Parliament. They consolidate and amend the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, as subsequently amended.

In particular, these Regulations implement amendments which were made by Directive 2014/52/EU to Directive 2011/92/EU of the European Parliament and of the Council; the main changes in the new Regulations relate to:

- 1. the circumstances when a project may be exempt from the environmental impact assessment (EIA) process;*
- 2. the introduction of 'coordinated procedures' for projects which are also subject to assessment under Council Directive 92/43/EEC (on the conservation of natural habitats and of wild fauna and flora), or Directive 2009/147/EC of the European Parliament and of the Council (on the conservation of wild birds);*
- 3. the list of environmental factors to be considered as part of the EIA process;*
- 4. the information to be provided to inform a screening decision, and the criteria applied when making that decision;*
- 5. how an environmental statement is prepared, including an amendment to the information to be included, the introduction of a requirement that it is based on a scoping opinion (where there is one) - and a requirement that it is prepared by 'a competent expert';*
- 6. how the public is informed of EIA projects; and*
- 7. decision-makers avoiding conflicts of interest*

See also

[Click to view EIA \(Agriculture\) regulations: apply to make changes to rural land May 2017 - Regulations on uncultivated / semi natural land updated- changes in agricultural activities that might cause damage. Changes to EIA Regulations - need to apply for a screening decision before changing rural land that's equal or over the 2ha threshold, or meets the criteria under the 2ha threshold.](#)

AGRI ENVIRONMENT SUPPORT

Agri environment support is made under Pillar I with Pillar II support being offered by the Basic Payment Scheme (BPS).

Higher Level Stewardship (HLS) was strongly focused on SSSIs, National Parks and AONBs. Most AONBs were target / focus areas for Natural England's HLS with high rates of take up in some AONBs. In some there was strong push for HLS as classic schemes (CSS, WES and ESA) were ending.

See Environmental Outcomes Monitoring data on HLS. [see also section 6 on CAP post-Brexit]

Farming requires a profitable future to sustain farming families, safeguard the environment, mitigate climate change and maintain vitality and employment in rural communities. Land managers play a crucial role in helping to look after the environment including its wildlife, soil and water quality, and the provision for open air recreation.

The AONB designation provides a platform for integrating the support provided to the sector with wider environmental, social and economic opportunities. In doing so, AONB teams are vital in helping develop a more sustainable approach to agriculture in England.

The New Rural Development Programme (2014-2020) introduced a new suite of schemes. These include the Countryside Stewardship scheme (replacing Environmental Stewardship). The focus changed again with a reduced focus area in AONBs and the likelihood of old HLS schemes not going into CSS. Data to confirm the continuum of support is to be confirmed.

At its high point in 2013 most (about 65%) of England was covered by the Entry Level Scheme - ELS. Whilst ELS was recorded in Monitoring Environmental Outcomes it is generally considered that only HLS is effective in conserving and enhancing the AONB and this is the metric which is used in Environmental Outcomes Monitoring.

Recent support to agri-environment schemes has been about £500k with £2.5bn under Basic Payment Scheme (BPS) and its predecessor Single Farm Payment. The relative imbalance between this support has long been a discussion point as part of reforms to the Common Agricultural Policy (CAP).

Countryside Stewardship: statements of priorities 2015 [Click to view Countryside Stewardship: statements of priorities](#) by Character Areas. This includes Priority maps.

ELS is not being replaced but is not considered significant as not a great contributor to enhancing the AONB.

Single Farm Payment and Greening Measures

Pillar I support was changed from 2015 but only slightly, SFP became BPS.

In 2015 the Single Payment Scheme was replaced by a new system of direct payments comprising the Basic Payment Scheme (BPS) and additional 'greening' payments. The new 'greening' rules specify the requirements that eligible farmers must meet in order to receive a greening payment worth 30% of the total direct payment. There are 3 greening rules:

1. Permanent grassland: Under this rule, if the percentage of permanent grassland in England – relative to the area of agricultural land – falls by more than 5%, farmers who have ploughed permanent grassland may have to re-instate it.

2. Crop diversification: this has also been called the '2 or 3 crop rule'. If a farmer has 10 or more hectares of arable land, they will have to follow the crop diversification rules on the minimum number of crops they grow and the areas they cover – unless they qualify for an exemption.

3. Ecological Focus Areas (EFAs): if a farmer has more than 15 hectares of arable land, they will need 'Ecological Focus Areas' on their arable land – unless they qualify for an exemption. EFAs are areas and/or features drawn from the list of areas and features which the EU has decided are beneficial for the climate and the environment.

Five of the EFA options have been selected as applicable in England. If a farm does need to apply the EFA requirement, the areas and features used must be equivalent to at least 5% of the total arable land the farmer declares on their BPS application.

Ecological Focus Areas - annual report 2015/16

[Click to view Ecological Focus Areas: features on farms in England 2015/16](#)

This release provides an assessment of the total area of Ecological Focus Area (EFA) features on farms with arable land in England, regardless of whether the feature has been used to meet greening requirements.

This shows how land has been put forward to comply with greening of the BPS scheme under

the 2015 rules. Most land in the so called EFAs is fallow or associated with hedges, ditches and field margins. Its contribution to natural beauty, given the predominance of arable land in many AONBs, is open to debate especially given the name.

There are two other greening measures - those associated with Permanent Grassland and with Crop Diversification. Some farms, such as those certified as organic or farms with large amounts of eligible land which is fallow and/or in grass, are exempt from the greening requirements.

Food, farm, livestock and land use statistics, DEFRA, November 2014. AONB Agriculture Statistics - the data at the links below are very valuable in understanding the Agricultural Economy.

[Click to view Structure of the agricultural industry in England and the UK at June](#) (AONB stats 2007 - 2013 in spreadsheet)

AONB breakdowns are only available in the years that correspond to the EU Farm Structure Survey. The latest available results are for 2010 and 2013. The next updates will relate to 2016 and 2020.

"These data series show land and crop areas, livestock populations and agricultural workforce estimates for England and the UK at 1st June each year. The results come from the long-running June surveys of agriculture and horticulture that are carried out each year in England, Scotland, Wales and Northern Ireland. The information includes long-term trends or detailed results for different types of farm, farm size or geographical area. The series are updated as new results become available.

The sample size for the June survey changes each year depending on UK and EU requirements. In years such as 2010 and 2013 when the EU required very detailed information on the structure of the UK agricultural industry, the sample size is increased. This enables us to produce good quality estimates for detailed geographies in those years. In other years, the sample size is smaller to reduce the burden on farmers and we do not produce detailed breakdowns in those years".

Stewardship schemes and payments and recipients - are mapped here.

[Click to view Farm payments for environmental stewardship](#)

Subsidy Payments - Recipients. This page allows you to view amounts received by beneficiaries. The amounts shown for each beneficiary will be the total amounts received under each heading (Rural Development, Direct Aids and Market Schemes) in the financial year, and also the combined total of these amounts. Data is available for the 2014 and 2015 EC financial years.

"The UK Government remains committed to full transparency in the use of public funds, including the publication of details about all payments made under the CAP."

[Click to view Welcome to UK CAP Payments](#)

CTTE Estates

Estates which are free from Capital Transfer Tax under the Conditional Exemption Incentive are listed here by HMRC

[Click to view Land, buildings and their contents](#) - some details, including access, are available for each estate and exempt area is mapped.

CAP - NAAONB Response to Common Agricultural Reform Consultation November 2013 [Click to view Response to Common Agricultural Reform Consultation](#)

"We strongly support the transfer of funding from Pillar I to Pillar II and urge that this should be the maximum 15%. Shifting funding to Pillar II provides the best option for securing environmental gains and sustainable economic development from public investment."

Coverdale (YDNP) Payment by Result farming support.

[Click to view Minister visits Yorkshire Dales to see pilot farm payment scheme](#)

[Click to view Wensleydale farmers champion new 'agri-environment' payment scheme](#)

"Unlike other agri-environment schemes, he has no land management prescriptions to follow, but can farm as he sees fit in order to achieve positive environmental outcomes. 19 farms in the Wensleydale catchment area are taking part in

the three-year Results Based Agri-environment Payment Scheme.....The overall message from the LNP and farmers was simple: we'd like the farm payment schemes of the future to be designed locally and delivered locally."

EIA Regulations updated - uncultivated or semi natural land

[Click to view EIA \(Agriculture\) regulations: apply to make changes to rural land](#) May 2017 - *Regulations on uncultivated / semi natural land updated- changes in agricultural activities that might cause damage. Changes to EIA Regulations - need to apply for a screening decision before changing rural land that's equal or over the 2ha threshold, or meets the criteria under the 2ha threshold.*

STATE OF THE ENVIRONMENT

Monitoring and review is an essential part of management planning, with each review of the plan building on the results of the monitoring of the previous plan. In this way, successive plans can be modified to achieve better results, and the performance of those tasked with delivery can be measured. Robust state of the environment reporting is the foundation for all AONB management plans and is often both qualitative and quantitative.

Reporting on the state of the environment at a national level is helpful to AONBs. It may be that AONBs are doing relatively better than the countryside outside protected landscapes.

Much of the data which is available nationally has been used in the Protected Landscapes Monitoring Framework (PLMF), suitably cut to AONB boundaries. Messages from regular national reporting suggest downward trends for many species and habitats although there are exceptions where concerted efforts have been made mainly through small scale interventions. Progress has been made in SSSIs since 2003 with more SSSIs in "unfavourable recovering" status indicating that issues are being addressed.

Similar reports are available for the Historic Environment. Broad overview reports from the Environment Agency are harder to find but many topic papers are available on air quality and water quality.

(see section 5 on Monitoring)

Historic England - Heritage Counts reports are available for the Historic Environment

[Click to view Heritage Counts](#)

[Click to view Heritage Counts 2016 Heritage and Place Branding](#)

Monuments at Risk - HE

[Click to view Heritage at Risk](#)

[Click to Search Heritage at Risk Register](#)

“As in previous years, damage from ploughing is the greatest threat, affecting over 34% of scheduled monuments on the Register. The Conservation of Scheduled Monuments in Cultivation (COSMIC) project assessed ways to avoid further damage, whilst enabling cultivation to continue wherever possible. Management decisions are being made, leading to the removal of significant numbers of scheduled monuments from the Register. COSMIC was prioritised in the historic environment sector's heritage protection plan, known as Heritage 2020. Although generally more long term and gradual in their effects, degradation and decay as a result of natural processes, such as scrub and tree growth, erosion and burrowing animals, remain the second greatest threat.”

Environment Agency overview reports are hard to find but many topic papers are available on air quality and water quality.

SSSI Current Condition

This information is available through the Framework for Monitoring Environmental Outcomes in Protected Landscapes or MEOPL. The data is provided annually to AONBs by Natural England.

SSSI condition 2003-2010

Useful definitions of condition can be found here

[Click to view Sites of Special Scientific Interest \(SSSI\): Protecting England's natural treasures](#)
[Sites of Special Scientific Interest](#)

2003 Favourable 44.6% : Unfavourable recovering 13.7%

2010 Favourable 37.2% : Unfavourable recovering 59.3%

Lawton Report - 2010 -

[Click to view Making Space for Nature](#)

Although published in 2010, the principles in the Lawton Report are still applicable i.e. taking a more joined-up action at local and national level, to create an ecological network resilient to changing pressures. Expectations of the conservation of habitats and species within Protected Areas were covered.

The percentage area of semi-natural habitats in AONBs varies enormously - Land Cover map 2007 suggests from 11% to 92%.

page vi...“the National Park and Access to the Countryside Act 1949 which laid the foundations for designating places that are special for wildlife (notably National Nature Reserves and Sites of Special Scientific Interest, SSSIs) and people (National Parks and Areas of Outstanding Natural Beauty). Subsequent legislation has improved first the protection, and more recently the management, of wildlife sites in particular SSSIs. Despite the important contribution designated sites have made, England’s wildlife habitats have become increasingly fragmented and isolated, leading to declines in the provision of some ecosystem services, and losses to species populations.

page viiTier 3 are landscape designations with wildlife conservation as part of their statutory purpose (National Parks and AONBs). We examine the extent to which these different Tiers of sites separately and collectively comprise a coherent and resilient ecological network by testing the evidence against five attributes that we identify for such a network:

page vii-viii ...Notably, many of England’s wildlife sites are too small; losses of certain habitats have been so great that the area remaining is no longer enough to halt additional biodiversity losses without concerted efforts; with the exception of Natura 2000 sites and SSSIs, most of England’s semi-natural habitats important for wildlife are generally insufficiently protected and

under-managed; many of the natural connections in our countryside have been degraded or lost, leading to isolation of sites; and too few people have easy access to wildlife.”

Natural England’s National Character Area profiles.

[Click to view National Character Area profiles: data for local decision making](#) - started in 2012 and finally published in September 2014, NCAs are not AONB specific and not necessarily well-matched to the geography of AONBs, but provide an additional context to which Natural England works.

State of Nature Report 2016

[Click to view RSPB’s State of Nature Report 2016](#)

“Between 1970 and 2013, 56% of species declined, with 40% showing strong or moderate declines. 44% of species increased, with 29% showing strong or moderate increases. Between 2002 and 2013, 53% of species declined and 47% increased. These measures were based on quantitative trends for almost 4,000 terrestrial and freshwater species in the UK.

Of the nearly 8,000 species assessed using modern Red List criteria, 15% are extinct or threatened with extinction from Great Britain.

An index of species’ status, based on abundance and occupancy data, has fallen by 16% since 1970. Between 2002 and 2013, the index fell by 3%. This is based on data for 2,501 terrestrial and freshwater species in the UK.

An index describing the population trends of species of special conservation concern in the UK has fallen by 67% since 1970, and by 12% between 2002 and 2013. This is based on trend information for 213 priority species.

A new measure that assesses how intact a country’s biodiversity is, suggests that the UK has lost significantly more nature over the long term than the global average. The index suggests that we are among the most nature-depleted countries in the world.

The loss of nature in the UK continues. Although many short-term trends suggest improvement, there was no statistical difference between our long and short-term measures of species’ change, and no change in the proportion of species threatened with extinction.

Biodiversity 2020 - ‘Biodiversity 2020: A Strategy for England’s wildlife and ecosystem services’
Published in 2011, this is a national strategy for England’s wildlife and natural resources and sets the ambitious target of halting the overall loss of England’s biodiversity by 2020.

[Click to view Biodiversity 2020: A strategy for England’s wildlife and ecosystem services](#)

Biodiversity 2020

Outcome 1C: By 2020, at least 17% of land and inland water, especially areas of particular importance for biodiversity and ecosystem services, conserved through effective, integrated and joined up approaches to safeguard biodiversity and ecosystem services including through management of our existing systems of protected areas and the establishment of nature improvement areas

The Defra Biodiversity 2020 Delivery Plan also encourages large scale initiatives in AONBs and has the milestone: AONB Partnerships and Conservation Boards to integrate Biodiversity 2020 and ecosystem targets into all AONB Management Plan Reviews by Mar 2014.

Biodiversity Indicators Information on progress over long term- habitats, species etc.

[Click to view England biodiversity indicators](#)

[Click to view Overview of assessment of change for all](#)

England Natural Environment Indicators - 2016 - annual data release - covers farmland bird index.
Birds 1970-2015. latest May 2017.

[Click to view Wild bird populations in the UK, 1970-2015](#)

[Click to view England Natural Environment Indicators](#)

[Click to view ENV07 - Wild bird populations in the UK](#)

Natural England 2016 Conservation Strategy

[Click to view Conservation 21 Natural England’s Conservation Strategy](#)

“We are currently exploring with a range of key partners, including the NAAONB, how best we may all work together in pursuit of the three

themes of the Conservation Strategy – Resilient Landscapes and Seas, Putting People at the heart of the Environment, and growing natural Capital. The AONB Family has a great deal to contribute across all three of these themes, and we have been exploring with the Chief Executive how to take them forward. Discussions are at an early stage, however particular interest centres on how to extend the influence of AONB Partnerships and Conservation Boards to land outside their boundaries, particularly in the many instances where other AONBs or National Parks are situated nearby. There are a number of good examples where this sort of joint approach is already taking place or being planned, and we are keen to facilitate this. The forthcoming Management Plan Reviews also offer opportunities to rethink jointly how we frame AONB Management Plan objectives to reflect both the Conservation Strategy and Defra’s 25 year plan, the publication of which is expected shortly. It is worth re-emphasising that the contribution of AONBs and National Parks is seen as fundamental to the successful delivery of Natural England’s conservation strategy. We are aligning all our own resources around the conservation strategy themes, and it will therefore be helpful if our joint work together can be expressed in these terms”

Quote from David Henshilwood taken from [NAAONB 73rd Meeting Board Minutes](#).

National Biodiversity Network (NBN) - latest system www.nbnatlas.org is a repository for all species records, current and historical. 217 million records are publicly available on the NBN Atlas, compared to 95 million on the old NBN Gateway. Location record searches available down to 1km radius.

Natural Environment White Paper (NEWP), Natural Capital and Ecosystem Services
[Click to view The Natural Choice: securing the value of nature](#)

Whilst NEWP was published 2011 it led to several changes over the period which might be regarded as coming under the bigger and more joined-up approach to nature conservation which has resonance with AONB Management Plans. In particular, NEWP led to the creation of Local Nature Partnerships (LNPs) as a way of taking

forward BAP activity and also to the financial support for new Nature Improvement Areas (NIAs), some of which included land in AONBs. NEWP also gave a boost to ecosystem services and the potential for markets in such services which included payment for ecosystem services (PES). NEWP underpins the approach to Natural Capital and helped create The Natural Capital Committee and Environmental Accounts.

“Natural capital can be defined as the stock of our physical natural assets (such as soil, forests, water and biodiversity) which provide flows of services that benefit people (such as pollinating crops, natural hazard protection, climate regulation or the mental health benefits of a walk in the park). Natural capital is valuable to our economy. Some marketable products such as timber have a financial value that has been known for centuries. In other cases (e.g. the role of bees in pollinating crops), we are only just beginning to understand their financial value”.

For a useful overview, look no further than the Postnote on Natural Capital.

[Click to view Parliamentary Office of Science and Technology note \(Postnote on Natural Capital\)](#)

The role of Natural Capital and Ecosystem Services is high profile. It requires a big picture approach. Financial valuations are problematic and the market in services identified in NEWP is very much in its infancy. The approach has been advocated by environmental organisations for some time and its appeal is now much wider - hence support for ecosystem services, and payment for, from NFU and CLA. The discussion on post-Brexit agricultural support has given Natural Capital and Ecosystem Services a leg up. See section 6

Defra Policy Review 2015 - setting out coalition initiatives 2010-2015

[Click to view 2010 to 2015 government policy: biodiversity and ecosystems](#)

This includes

Local Nature Partnerships - Review of EU Habitats Directive and Wild Birds Directive

“... November 2011, we reviewed how the EU Habitats Directive and Wild Birds Directive are implemented in England and its seas. The review looked at how we can make it simpler for

businesses to comply with the laws that protect certain habitats and wild bird species. It found that the directives are largely working well but identified 28 measures in 4 broad areas where we can improve. As of June 2013, twenty-five of the twenty-eight measures have been implemented. A report on the progress of the Habitats Directive Implementation Review gives more detail on progress with implementation of each measure.”

Biodiversity offsetting - Ecosystem Services and Payment for Ecosystem Services; Natural Capital Defra 25 year Plans. It is still not clear what will emerge but better to plan for known drivers and issues which will presumably be reflected the 25 year plans, or perhaps not. Leaked first drafts did little to encourage belief that the plans might offer a step change.

Nature Improvement Areas Initiative 2012-2015; Monitoring and best practice

“Key lessons from the evaluation of the NIAs include

- shared visions and objectives for the NIA partnerships improved communication between organisations, encouraged joined-up working and more integrated implementation,
- partnership-led, landscape scale land management contributed to successful implementation. However, sufficient resources need to be dedicated to local coordination and management if partnerships are to function well,
- the flexibility inherent in the design of the initiative was an important success factor,
- partnerships bringing conservation organisations together with local businesses, land managers, research institutions and local authorities proved effective in delivering land management in the integrated way envisaged by the NIA initiative,
- visible government support and leadership and a clear policy message provided impetus for local project delivery and helped local projects in sourcing additional resources,
- the scale of funding available to NIAs was critical to their success; the initial government grant, for example,
- enabled partnerships to employ staff, leverage match-funding and initiate demonstration

projects that have encouraged others to get involved; and,

- longer term activity (beyond the three years of grant funding in NIAs) will be required to deliver sustainable impact, with associated monitoring to understand if lasting changes have been realised.

Many papers and workshop reports in here.

Purbeck Summary Map / Morecambe Bay etc

[Click to view Nature Improvement Areas: about the programme](#)

[Click to view Monitoring and Evaluation of Nature Improvement Areas](#)

[Click to view Nature Improvements Areas \(NIAs\) Best Practice Network events](#)

Natural Capital and The Natural Capital Committee

[Click to view Natural Capital: An Overview](#)

The NCC is an independent advisory committee. It provides advice to the government on the sustainable use of natural capital - that is, our natural assets including forests, rivers, land, minerals and oceans. The Committee’s broad remit also covers the benefits we derive from natural assets, such as food, recreation, clean water, hazard protection and clean air. The second term of the committee runs from 2016 to 2020. Professor Dieter Helm continues to chair the Committee, which will focus primarily on helping the government develop its 25 year environment plan. The Committee’s initial term ran from 2012 to 2015.

How to Do It Workbook

[Click to view Natural Capital Committee How to do it: a natural capital workbook](#)

Economic valuation and its applications in natural capital management and the Government’s 25 Year Environment Plan (April 2017)

“The NCC defines natural capital as “those elements of the natural environment which provide valuable goods and services to people, such as the stock of forests, water, land, minerals and oceans. Value therefore lies at the heart of the natural capital concept. Accordingly, assessing the value of changes in our natural

capital and the services it provides, is fundamental to deciding how and where funds should be spent to restore, maintain and manage the natural environment. Yet there are many different interpretations of what valuation means and how to apply valuation evidence in practical decision making contexts. In this note, the NCC lays out the types of decisions for which natural capital values might be useful and some principles to guide the choice of approaches to valuation. The intention is to guide and encourage coherence across decision making contexts, particularly relevant for the public sector, and especially for projects related to the development and implementation of the Government's 25 Year Environment Plan (25 YEP). The principles set out here could also be used to guide relevant decisions in the private sector."

What are ecosystem services?

Examples of ecosystem services include products such as food and water, regulation of floods, soil erosion and disease outbreaks, and non-material benefits such as recreational and spiritual benefits in natural areas. The term 'services' is usually used to encompass the tangible and intangible benefits that humans obtain from ecosystems, which are sometimes separated into 'goods' and 'services'.

Biodiversity 2020

Outcome 1C: By 2020, at least 17% of land and inland water, especially areas of particular importance for biodiversity and ecosystem services, conserved through effective, integrated and joined up approaches to safeguard biodiversity and ecosystem services including through management of our existing systems of protected areas and the establishment of nature improvement areas

Aids to applying the ecosystem approach

The Ecosystem Approach Handbook, commissioned by Natural England. [Click to view Ecosystem Approach Handbook](#)

A review of how the ecosystem approach is applied in the UK, conducted by the James Hutton Institute.

[Click to view the Ecosystem Approach Review](#)

A pilot project to appraise the contribution of two National Parks in England to the ecosystem approach.

[Click to view National Parks contributions to the ecosystem approach](#)

Tool Assessor is part of the Ecosystems Knowledge Network website that provides information about tools that analyse the environment.

Talking about our Place, a toolkit commissioned and published by Scottish Natural Heritage.

[Click to view Scottish National Heritage - Talking About Our Place](#)

In addition, the Ecosystems Knowledge Network website contains links to examples of how the ecosystem approach is being applied at a variety of spatial scales.

[Click to view Making the environment relevant to people](#)

Natural partners: Why nature conservation and natural capital approaches should work together.

[Click to view Natural partners: Why nature conservation and natural capital approaches should work together](#)

"Nature conservation has been the traditional approach to managing pressures on the UK's natural environment. It has had some notable success but has not reversed the long-term trends of ecosystem decline, habitat and species loss. New thinking has emerged over the last ten years based on the idea of natural capital. This provides an economic case for nature protection based on valuing the benefits society receives from natural assets such as soil, water and biodiversity. These two approaches are often set in opposition to one another. In this report we argue that, as we breach environmental limits and reach tipping points for habitat loss, water cycles, nutrient enrichment and carbon emissions, the government should adopt a strategic combination of both approaches".

DEVELOPING ECOSYSTEM ACCOUNTS FOR PROTECTED AREAS IN ENGLAND AND SCOTLAND 2015, - report by AECOM for Defra

[Click to view Developing ecosystem accounts for protected areas in England and Scotland](#)

This includes a Dorset AONB case study. Defra-sponsored pilot study 2015, aimed to establish accounts for some ecosystem services in the AONB. The outputs were quite limited due to the difficulty of defining services and apportioning a financial value to them.

Improving Natural Capital - An assessment of progress 2017

[Click to view Improving Natural Capital: An assessment of progress](#)

“We recommend that the approach described here be fully embedded in the Government’s 25 Year Environment Plan. The Committee will continue to assist with the design and implementation of that Plan, developing a ‘How To Do It’ manual for practitioners. Specifically, the Committee recommends the following:

1. The Government’s 25 Year Environment Plan should be progressed rapidly, if there are to be demonstrable improvements in England’s natural capital before 2020 and progress in delivering the government’s objective “of being the first generation to leave the natural environment of England in a better state than that in which we found it”. Currently many aspects of the natural environment are still deteriorating; Development of the Plan has been considerably slower than both expected and desired, in part due to the referendum and BREXIT.

Recommendation

10. England’s National Parks contain very significant natural capital, and their powers and duties should be extended to support the objectives of the 25 Year Environment Plan. Where practical, each National Park should quantify and value the main natural capital assets in its area, using the accounting framework recommended by the Committee in its first term. Valuation should play a key part in the assessment of natural capital investment options. Consideration should be given to the creation of new National Parks”.

Govt Response to NCC

“Deliver on the range of natural capital related commitments that government has made, including: putting in place a new ‘Blue Belt’ to protect precious marine habitats; spending £3 billion from the Common Agricultural Policy to enhance England’s countryside over the next five

years; planting an additional 11 million trees; launch an ambitious programme of pocket parks; tackling air and water pollution; and ensuring the value of Green Belts, AONBs, National Parks, SSSI’s and other environmental designations are appropriately protected

Supporting National Parks in leading implementation of the Ecosystem Approach and delivery of Biodiversity 2020 Outcome 1C

[Click to view Supporting National Parks in leading implementation of the Ecosystem Approach and delivery of Biodiversity 2020 Outcome 1C](#)

POSTNOTE Number 537 September 2016 Rewilding and Ecosystem Services

[Click to view Rewilding and Ecosystem Services](#)

HEALTH and WELLBEING

AONBs are vitally important for the health and wellbeing of the nation. 156 million people visit AONBs in England annually, many to make the most of the free opportunities on offer for outdoor recreation, exercise, rest, and relaxation. Likewise, many of the 1 million people who live in AONBs express an appreciation for living in an area with a clear sense of place and local identity. As the link between greenspace and reduced depression, anxiety, anger and sadness becomes better understood, AONBs have become increasingly important as providers of England’s natural health service.

Health, and more specifically the benefits of recreation and activity in pleasant and stimulating green (blue) environment, have moved up the agenda and have provided opportunities for AONBs to get involved with health agencies in new partnerships.

Latterly the understanding of the implications and benefits for mental health have also progressed.

Collaborations between Natural England, researchers and health providers are increasing with practical interventions starting to emerge; prescribing a walk, not an anti depressant.

Many AONB Partnerships and Conservation Boards are well-placed to engage in this agenda given their breadth of expertise, ability to form creative projects and confidence to act as test-beds.

Overviews and presentations from 2015 NAAONB Conference

[Click to view Nature, Health and Wellbeing – What does the research show?](#)

and

[Click to view How the Landscape can improve Health and Wellbeing](#)

Local engagement with GPs / Local providers (SW AONBs - Dementia)

[Click to view Manifesto for the Green Mind](#)

The **Stepping into Nature project** received the NAAONB's Bowland Award in 2016. Dorset AONB team partners include the Alzheimer's Society, Dorset Forest School and the county council's Partnership for Older People Programme (POPP). [Click to view Stepping into Nature – Bowland Award Nominee](#)

See also **mindSCAPE Project** has been developed to enable people living with dementia, their carers both family and professional, to reconnect with the landscape in a sociable and creative way. [Click to view mindSCAPE Project](#)

Walking for Health - in Cannock Chase

[Click to view Chase Fit Project](#)

and nationally

www.walkingforhealth.org.uk

2012 Natural England Report gives some history. *"In 2007, Department of Health and Natural England working in partnership with local statutory and voluntary organisations took the decision to invest in an expansion of Walking for Health as part of the package of public health initiatives aimed at getting people more active. As part of the Walking for Health expansion a programme of evaluation was established. The aims of the programme were to evaluate, quantitatively and qualitatively, both health and environmental outcomes from the Walking for Health intervention. To deliver the breadth and depth of evaluation Natural England has worked*

with research and academic partners". [Click to view Costing the Walking for Health programme](#)

Postnote **Green Space for Health** [Click to view Green Space and Health](#)

Expanding the value and use of Social Prescribing in the delivery of nature-based interventions for adults with mental health needs - proposal for **Natural England**, October 2015

[Click to view Defra evidence statement on the links between natural environments and human health](#)

2017 - A comprehensive Evidence Statement on the links between natural environments and human health. The aim of the evidence statement is to inform Defra's policies and service delivery.

The statement addresses

- *the direct and indirect linkages between natural environments and health,*
- *variation in impact between social groups,*
- *the importance of the type and quality of the natural environment,*
- *dose-response relationships,*
- *the effectiveness of different intervention options,*
- *the monetary values of benefits, and*
- *key evidence gaps.*

[Click to view Evidence Statement on the links between natural environments and human health](#)

MARINE

New legislation, marine planning, and seascape character assessment will provide new opportunities for an improved linkage between the seaward setting of a protected landscape and its marine environment.

How significant in coastal AONBs?

The Marine Planning Portal gives a good insight into some of the elements of the evidence being used to shape marine plans. The Marine Management Organisation (MMO), DCLG, Defra and the Planning Advisory Service have produced a useful tool for checking that a wide range of obligations regarding Local Plan development are

met prior to submission of Local Plans for examination by the Planning Inspectorate.

Seascape assessments have been undertaken in some areas but these have come relatively late compared to landscape assessments. Given the importance of sea views in the special qualities of coastal AONBs, seascape assessments are a useful tool.

Some applications for offshore wind turbines close to AONBs have been controversial with two of the largest, Atlantic Array and Navitus Bay, being withdrawn.

2014 Europarc Seminar

[Click to view Marine Planning & Coastal Protected Landscapes](#)

....recommendations for the MMO to consider that

- *a member of the Protected Landscape Family in the South Plan Area (SPA) be invited to join the Sustainability Appraisal Advisory Group (SAAG)*
- *an opportunity be sought to deploy the significant advances in the use of seascape character assessment made by the MMO in relation to the SPA back to the East Plan Area at the earliest opportunity. This could be via a collaborative project.*
- *MMO officers and Protected Landscape managers in the SPA should meet on a bilateral basis to exchange information and identify mutual benefits that each can bring to each other's spatial planning and management plan making processes.*
- *a mechanism be found within the SPA making process to identify what good integrated coastal management looks like in the SPA; identifying current good practice and where there is room to improve integration.*

Seascape Assessments

North Devon and Exmoor LUC 2015

[Click to view Seascape Character Area Report](#)

and user guide

[Click to view Seascape Character Assessment User Guide](#)

Dover Strait - 2015

[Click to view Seascape character assessment for the Dover Strait](#)

Solway Coast - 2010

[Click to view Landscape and Seascape Character Assessment](#)

UK Offshore Energy Strategic Environmental Assessment - Future Leasing for Offshore Wind Farms and Licensing for Offshore Oil & Gas and Gas Storage 2009

[Click to view UK Offshore Energy Strategic Environmental Assessment - Future Leasing for Offshore Wind Farms and Licensing for Offshore Oil & Gas and Gas Storage 2009](#)

page xiv... Significant adverse effects are likely without mitigation; however, for a variety of impact reduction reasons a general guideline of a 12 nautical mile buffer zone is recommended for large (>100MW) wind farm developments.

RENEWABLES - CLIMATE CHANGE MITIGATION

Renewable energy production and associated infrastructure have progressed rapidly, often in controversial fashion. Over the period, most applications for large onshore wind turbines met with stiff local opposition in rural England. Although AONBs were generally avoided for larger turbines and solar farms, there were a good number of applications and a small number of approvals inside AONBs.

The main threat to Protected Landscapes over the period was from applications for large turbines in the setting of the AONB; hence the drive, in some AONBs, to define the setting to bolster the case for any objection to a visually intrusive scheme near to an AONB. In such cases the setting of the AONB was a material consideration in granting or refusing permission.

Large turbines applications were often sought just outside (up to 10km) the AONB boundary. Those within 5km were more likely to have an effect on the AONB. From 2012 the number of such cases had already begun to decline, by 2015 they had practically dried up for 125m turbines. Setting in the context of listed buildings (s66 special regard) also assumed greater and wider prominence (oft-quoted in Secretary of State DCLG letters) where it was successfully used in the courts to quash an appeal decision on a large

turbine scheme at Barnwell (North Northamptonshire).

A handful of offshore schemes proved controversial because of their likely effect on AONBs (North Devon, Dorset, Norfolk Coast)

In contrast climate change adaptation measures have not been much to the fore.

Renewables policy has changed notably since 2015. Changes in government policy have also suggested a loss of focus. For example, the withdrawal of the 2016 'zero-carbon home' target has been shown to have had an impact on local policy for promoting low carbon homes in England. The same applies to the withdrawal of the 'Code for Sustainable Homes' in 2015.

The Renewables Industry has complained about the short-term nature of funding and incentives, in the case of solar, Government pointed to the need to alter subsidies and incentives to reflect the reduced cost of technologies, partly due to mass production and uptake.

In contrast, small-scale and domestic renewable energy production have been favoured by a more relaxed permitted development regime, in combination with incentives to home owners based on selling surplus electricity.

Miscanthus and coppice - for heating and power - do not appear to have made any real inroads over the period. These were funded by the Energy Crops Scheme.

Anaerobic digesters have proved rather more controversial, especially in combination with maize production which has seen a big acreage increase, notably in the south west with consequent soil and run off issues.

Management of existing woodland to provide wood fuel is still on the increase with concerted efforts made in several AONBs.

Locally various helpful **Guidance on Renewables** have been produced by AONB Partnerships and Conservation Boards.

Malvern Hills AONB Partnership

[Click to view Malvern Hills AONB Guidance Solar Panels](#)

[Click to view Malvern Hills AONB Guidance Wind Turbines](#)

[Click to view Malvern Hills AONB Guidance Heat Pumps](#)

[Click to view Compulsory Pre-Application Consultation with Local Communities for Onshore Wind](#)

"Public Approval" for wind turbines

Signaled by DCLG in 2013

I hope these reforms will give a greater say for local people and strengthen the role of councils in shaping where development should and shouldn't go.

[Click to view Compulsory Pre-application Consultation with Local Communities for Onshore](#)

Regulations that made **pre-application consultation with local communities** compulsory for onshore wind development were introduced December 2013. These regulations will be applied to applications for onshore wind development of more than two turbines or where the hub height of a turbine exceeds 15 metres.

[Click to view The Town and Country Planning \(Development Management Procedure and Section 62A Applications\) \(England\) \(Amendment\) Order 2013](#)

2015 - Ministerial Statement. Post Coalition Government

This set down the future direction for the Government i.e. a move away from LibDem policy. DECC was always headed by a LibDem Minister in the coalition but DCLG had a strong say on how renewable schemes were assessed in the planning system; a few nationally significant projects (s36 Electricity Act) were determined at DECC Ministerial level but post-2015 these were largely taken back into the Planning regime.

[Click to view Consents and planning applications for national energy infrastructure projects](#)

2015 - Ministerial Statement. Post Coalition Government. [Click to view DCLG Planning](#)

This addresses the need to have local communities backing proposals and/or positive

planning to define suitable areas - both high hurdles.

When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if

- *the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan, and*
- *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.*

In applying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Maps showing the wind resource as favourable to wind turbines, or similar, will not be sufficient. Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority.

Proof of Public backing for wind farms 2015

[Click to view Renewable and low carbon energy](#)

Do local people have the final say on wind farm applications?

The written ministerial statement made on 18 June 2015 is quite clear that when considering applications for wind energy development, local planning authorities should (subject to the transitional arrangement) only grant planning permission if

- *the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan, and*
- *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.*

Whether the proposal has the backing of the affected local community is a planning judgement for the local planning authority.

Paragraph: 033 Reference ID: 5-033-150618

Revision date: 18 1506

Setting of Protected Landscapes – the effect of development in the setting of Protected Landscapes will need to be considered. How the setting is defined is down to local circumstances but setting can be an important factor in the planning balance.

Some AONB Partnerships and Conservation Boards have considered their setting, including seascape, as a way of helping to guide development of all kinds close to the AONB boundary e.g. Chilterns Cotswolds, Cranborne Chase, Dedham Vale, North Wessex Downs.

Dedham Vale AONB - the Partnership considers the setting of the Dedham Vale AONB to be the area within which development and land management proposals, by virtue of their nature, size, scale, siting materials or design can be considered to have an impact, positive or negative, on the natural beauty and special qualities of the Dedham Vale AONB.

NPPF paragraph 115 requires that in any decision “great weight should be given to conserving landscape and scenic beauty” in AONBs. This applies not only to developments proposed within an AONB but also to developments proposed in its setting, such that the AONB would be affected.

Solar energy

The push for more solar power also waxed and waned over the period with restrictions being lifted for domestic applications and incentives for large scale solar farms changing. Feed-in Tariffs (2010-2015) were a major driver but saw caps on the scale of activity above 5mW being introduced for commercial activity.

On 17th December 2015, the Government announced a new package of renewable energy cost controls in response to its consultation on feed-in tariffs (FITs) and the Renewables Obligation (RO). A brief summary of the main points relating to solar farms is below.

The Government re-introduced pre-accreditation for FITs from 8 February 2016, and has significantly reduced support available for stand-alone projects through feed-in tariffs by 71% and has decided to keep the FITs scheme open beyond

January 2016 due to the cost control measures being introduced as part of the response. The Government closed the RO across Great Britain to new solar PV capacity at 5MW and below from 1st April 2016.

In 2015, the Government reduced the support for solar farms, removing subsidy support through the Renewables Obligation for solar farms larger than 5MW and significantly reduced the support available for stand-alone projects through the removal of FITs accreditation. CAP funding to solar farms on agricultural land was also limited.

Solar Farms: funding, planning and impacts.
HoC briefing [Click to view Solar farms: funding, planning and impacts](#)

2016 Annual Report from the Renewables Association. A summary of the changes ushered in during 2015, which particularly affected solar, is included [Click to view The REA's Election 2017 'Manifesto'](#) 7th June 2016 release.

Miscanthus and coppice, for heating and power, do not appear to have made any real inroads [Click to view Crops Grown For Bioenergy in England and the UK: 2015](#)

These were funded by the Energy Crops Scheme [Click to view Energy Crops Scheme: Establishment Grants Handbook: 3rd Edition](#)

Anaerobic digesters (AD), Maize and soil erosion.

There are Issues with land management especially associated with the switch to maize production and associated flooding/soil issues. There are unexpected consequences of renewables given new subsidies and tariffs which favour AD not just disposing of a waste product but also generating a premium for new maize planting to feed such power generation e.g. land rent increases.

Maize regarded as the best crop for AD/biogas production.

[Click to view Maize Growers Association - Biogas](#)

Soil Association

[Click to view Soil Association welcomes new proposals to restrict maize for anaerobic digestion](#)

Maize is probably the fastest expanding arable crop in the UK, up from 8,000 in 1973 to 186,000 hectares in 2015, with proposals for an additional 125,000 hectares in England by 2020.

The Soil Association said that maize is currently "responsible for environmental damage to soils, streams and rivers", and for the "rapid loss of land available for food production – all of which is made possible through double subsidies paid for by the UK taxpayer.

"In 2014, researchers found that 75% of late-harvested sites in South West England showed high or severe levels of soil degradation," the Soil Association added.

[Click to view Soil Association - Runaway Maize](#)

House of Commons Environmental Audit Committee

Soil Health - First Report of Session 2016–17

[Click to view House of Commons Environmental Audit Committee - Soil Health](#)

77. Maize production can damage soil health when managed incorrectly, and incentives for anaerobic digestion should be structured to reflect this. The double subsidy for maize produced for anaerobic digestion is counterproductive and has contributed to the increase in land used for maize production. This subsidy regime represents a clear case in which better joined-up thinking across Government is required in order to ensure that soils are managed sustainably. The Government's ambition to manage all soils sustainably by 2030 cannot be met if Defra does not achieve buy-in from other departments to achieve the ambition.

78. Renewable energy subsidies for anaerobic digestion should be restructured to avoid harmful unintended consequences. Revisions should either exclude maize from the subsidy altogether or impose strict conditions on subsidised maize production to avoid practices in high-risk locations which lead to soil damage. The broader cross compliance regime has not proved sufficient to prevent such damage. Defra and DECC should work together to evaluate the impact of energy policy on soil health across the board. The upcoming 25-year Environment Plan should include specific plans for interdepartmental working and structures of accountability with the goal that soil protection is not simply the

responsibility of Defra, but rather is a factor against which any policy can be measured.

DECC Consultation 2016. [Click to view Concerns raised over proposals to reduce Feed-in Tariffs for anaerobic digesters](#)

DECC has proposed a series of changes from January 2017, to reduce the impact on bill-payers. They include ending FIT support for new AD plants over 500kW, and reducing tariffs for new AD plants under 500kW by nearly a third. In its consultation document, DECC says the aim is to put the subsidy scheme for AD plants on a “sustainable footing”. It says, “Government is committed to moving to a low-carbon economy and meeting its carbon reduction and renewable energy targets. Alongside other measures, the FIT scheme has been part of our progress against these objectives. The scheme is funded through levies placed on consumer energy bills. In order to restrict the impact on (consumer energy) bills, government set a limit on the annual low-carbon energy subsidy expenditure which could be collected from consumers. Deployment under the FIT scheme has exceeded expectations. While this shows the success of the scheme in attracting investment in small-scale renewable electricity deployment, this has come at a cost to the bill payer, with the scheme projecting to spend beyond its initial projections.”

Planning for the Climate Challenge? Understanding the performance of English local plans. 2016.

[Click to view Planning for the climate challenge](#)

This study found that local plans in England are not dealing with carbon dioxide emissions reduction effectively, nor are they consistently delivering the adaptation actions necessary to secure the long-term social and economic resilience of local communities. There was a wide variety of practice: there were some examples of positive responses, but, taken as whole, it is clear that since 2012, climate change has been de-prioritised as a policy objective in the spatial planning system. The large-scale failure to implement the clear requirements of national planning policy is a striking finding, as is the reduced capacity of the Local Authority planning

service and the reduced capacity of Environment Agency to support the long-term plan-making process.

The study underpinning this report explored how local plans published since the NPPF was produced in 2012 are addressing climate change. Drawing on a sample of 64 Local Authorities in total, and based on an analysis of local planning documents, a survey of Local Authority planners and four more-detailed, area-based case study examinations, the study established the extent to which climate change mitigation and adaptation are reflected as priorities in local plan policy in England.

Flooding and insurance [see other references to catchment management in section 11]

Household Flood Insurance and 2014 Water Bill
[Click to view House of Commons Library Household flood insurance](#)

Flood Insurance Regulations (FloodRe)
[Click to view The Flood Reinsurance \(Scheme and Scheme Administrator Designation\) Regulations 2015](#)

Living with change - managing water and flooding. Holnicote - Exmoor. [Click to view Living with change - managing water and flooding](#)

“We have to come to terms with the challenges of living in the age of extreme weather. When it comes to reducing the risk of flooding, we have to think holistically. We need to look at how we slow the water down from source to sea. If we get the pieces of the jigsaw right by intervening and managing water, we can make a difference.

On the windswept hills of Exmoor, we've created catch pools and diverted surface water from paths and tracks to help slow the flow, and we've reduced the run-off from moorland by blocking ditches. The planting of wet woodland, en route as the rivers travel towards their destination, helps slow the progress of water as trees are great at absorbing water.

A return of water meadows, where fields are allowed to flood in the winter, has created much needed space for water and seen wildfowl arriving to take advantage of this new habitat. And the construction of five large earth bunds has provided a place to hold the water temporarily

during intense rainfall events and release it slowly into the rivers as they flowed towards the sea”.

EA Natural Flood Management [Click to view Working with nature to reduce flood risk](#)

In many places natural flood management can play a part in protecting homes and communities. However, there is more work to be done to examine effectiveness of wide-scale natural flood management measures across entire river catchments. There is plenty of evidence that natural flood projects can make a significant contribution to managing and reducing flood risk at a local level and in small catchments. More work is needed to see impact across catchments which are nearer 100km² or larger

[see other references to catchment management in section 11]

HISTORIC ENVIRONMENT

AONB Management Plans include policies and provisions supporting conservation of the historic environment and there has been steady progress in activity and projects over recent years. The Accord between the NAAONB and Historic England was re-signed in 2014.

In 2015 English Heritage's structure moved the protection of the National Heritage Collection into the voluntary sector, the regulation body that remained was rebranded as Historic England which has a similar remit to and complements the work of Natural England.

Historic England inherited the Historic England Archive, Britain from Above (online collection of 96,000 of the oldest Aerofilms images), National Buildings Record and the Images of England project (online database of the 370,000 listed properties).

Historic England contributes data to the PLMF. Key datasets such as monuments at risk are cut to AONBs in the PLMF.

2014 JOINT STATEMENT ON THE HISTORIC ENVIRONMENT IN AREAS OF OUTSTANDING NATURAL BEAUTY.

English Heritage and NAAONB renewed their commitment to work together to promote the

conservation, understanding, and public enjoyment of heritage in AONBs. [Click to view NAAONB English Heritage Joint statement on the historic environment](#)

Shared Principles

- *The landscapes of AONBs have been created by centuries of interaction between people and nature,*
- *The historic environment is fundamental to the distinctive character and sense of place of each AONB,*
- *AONBs are national assets,*
- *The principles of the European Landscape Convention (ELC) underpin our actions and aspirations, and*
- *By working together the parties can further the understanding, conservation and public enjoyment of the historic environment in AONBs.*

Heritage 2020 is a new (2014) framework that aims to demonstrate how partnership working can add value and lead to the delivery of outcomes [Click to view Heritage 2020 Framework](#)

DCLG Guidance 2014 Conserving and enhancing the historic environment

[Click to view Conserving and enhancing the historic environment](#)

Historic Seascape Characterisation

English Heritage, now Historic England, published the Historic Seascape Characterisation for the South West Peninsula in 2014, with the third volume of the study providing text descriptions of the historic seascape character types (with each type describing different activities rather than spatial areas). The document identifies the condition and forces for change, and the rarity and vulnerability of each character type. It provides a level of detail greater than is required for the AONB Management Plan but the document will be valuable reference for actions under the Plan affecting the historic environment.

Heritage Alliance

[Click to view The Heritage Manifesto](#)

Manifesto

1. Maximise the advantages, and minimise the disadvantages, of Brexit for heritage
2. Maintain and Improve the protection for heritage
3. Attract investment and engagement with heritage, and build sector skills and capacity
4. Deliver positive fiscal change for heritage
5. Continue to back Lottery funding for heritage

The Heritage Alliance is England's largest coalition of heritage interests. It brings together independent heritage organisations from English Heritage, the National Trust, The Canals & Rivers Trust and Historic Houses Association, to specialist bodies representing visitors, owners, volunteers, professional practitioners, museums, mobile heritage, funders and academics.

s66 - Special Regard to listed buildings

[Click to view Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)

Section 66, although it has been in existence since 1990, has been pushed to the fore in recent years mainly because it became the focal point of legal argument in the Court of Appeal. [see also Renewables in section 9 and Historic Environment 10]. DCLG guidance to LAs followed to reiterate the importance of the court decision.

Secretary of State DCLG appeal decision letters, involving listed buildings, typically contain the following text:

In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special regard to the desirability of preserving those listed buildings potentially affected by the proposals, or their settings or any features of special architectural or historic interest which they may possess.

NPPF Section 12 covers heritage assets and their setting (paras 128, 129, 132, 137)

The setting of a heritage asset is defined in the NPPF as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral." (1)

"The setting itself is not designated. Every heritage asset, whether designated or not has a setting. Its importance, and therefore the degree of protection it is offered in planning decisions, depends entirely on the contribution it makes to the significance of the heritage asset or its appreciation".

[Click to view Considering heritage issues in planning applications: recent guidance from the courts](#)

In the Barnwell Manor case, an inspector held that a proposal for 4 wind turbines would have a less than substantial effect on the setting of over 40 designated heritage assets, some of which were Grade I listed. He then proceeded to carry out a straightforward balancing exercise in accordance with paragraph 134 of the NPPF. He concluded that the benefits of the proposal outweighed the less than substantial harm to the setting of the heritage assets, and granted planning permission.

This case ended up in the Court of Appeal in February 2014, which upheld the High Court's decision to quash the grant of planning permission. The Court of Appeal held that in enacting section 66(1), Parliament intended that the desirability of preserving the settings of listed buildings should not simply be given careful consideration but "considerable importance and weight" when carrying out the balancing exercise. This gives rise to a strong statutory presumption against granting planning permission for development which would cause harm to the settings of listed buildings. Even where the harm would be "less than substantial", the balancing exercise cannot ignore the overarching statutory duty imposed by section 66(1).

The Court of Appeal found that the inspector did not give considerable importance and weight to the section 66(1) duty when carrying out his balancing exercise.

[Click to view Heritage issues and planning applications](#)

Historic Area Assessments - 2017 - updated advice [Click to view Understanding Place - Historic Area Assessments](#)

Historic Area Assessments (HAAs) help to understand and explain the heritage interest of an area. HAAs help explain the character of a place and define its significance, providing a

sound evidence base for the informed management of the historic environment.

WATER - WORKING WITH WATER COMPANIES AND CATCHMENT MANAGEMENT

Water management, or rather land management, to help to provide drinking water or mitigate flood risk, especially in the context/paradigm of ecosystem services, is closely linked to the conservation and enhancement of natural beauty. However, making links between land management and providing a water good or service contract is not easy. Various small catchment management schemes have proved to be successful and viable. Scaling up schemes, seeking co-operation over a wider area and ensuring long term commitment of third parties to justify investment are huge obstacles to overcome. The potential to generate revenue for projects by water companies is subject to controls by Ofwat Price Reviews, so additional investment by water companies must be approved to protect consumers' interests. Some argue that the latest Price Review (PR19) offers an opportunity to make more progress on catchment management based on successful trials.

The traditional drinking water model is to accept raw water needs to be treated and to invest in plant to remove contaminants from diffuse pollution. This is a cure rather than prevention, but allows for long term control of the process, albeit in the knowledge that contaminants may increase, or that regulations may demand higher levels of treatment to reduce concentrations of nitrates.

The long term costs of such a model have long been considered e.g. "externalities" of farming and "the polluter pays" principle.

[Click to view Policy Challenges and Priorities for Internalising the Externalities of Modern Agriculture](#)

[Click to view An Assessment of the Total External Costs of UK Agriculture](#) Nonetheless this area seems to provide a suitable way to explore ecosystem good and services and paying for same.

Role of Ofwat in Price Reviews (PR19)

[Click to view Ofwat Price Review](#)

Most water and sewerage services in England and Wales are not provided in competitive markets. Most people receive their water services from a licensed monopoly company. Only very large business customers are able to choose their supplier.

Because competition is limited, there is a risk that these companies will not deliver the services their customers want. They may also charge higher prices to increase their profits. This is why they need to be regulated. And it is why Ofwat was created when the water and sewerage sectors were privatised in 1989.

"One of the ways we regulate is to set the price, investment and service package that customers receive. This includes setting limits on the prices the companies can charge their customers. When we do this, we must balance the interests of consumers with the need to make sure the sectors can finance the delivery of water and sewerage services. We also need to make sure they are able to meet their other legal obligations, including their environmental and social duties. We currently carry out a review of these price limits every five years".

[Click to view Blueprint for pr19](#)

[Click to view Blueprint for pr19 environmental outcomes for the price review](#)

Periodic Review 2019 (PR19) [May2017]

"Over the next 18 months, water companies in England and Wales will be drawing up their business plans for 2020 to 2025, as part of the 'Periodic Review 2019' (PR19). Water companies are major private investors in water and environmental management in the UK and the business plans introduced in 2020 will play a pivotal role in the stewardship of the environment. The Blueprint for Water believes that nature should be at the heart of water companies' business plans and has developed a set of key priorities that we want to see reflected in these plans, to benefit both customers and the natural environment that we all cherish.

Our four priorities for PR19 are

- *Protect and restore catchments from source to sea,*

- Stop pollution from our waters,
- Use water wisely and price water fairly, and
- Keep our rivers flowing and wetlands wet.

MAKING THE CASE FOR CATCHMENT MANAGEMENT - 2017 - Blueprint for Water
[Click to view Making the Case for Catchment Management](#)

Schemes like South West Water's Upstream Thinking and United Utilities' (UU) SCaMP have led the way; UU's scheme saw thousands of hectares of upland habitat restored, drainage channels blocked, and livestock numbers cut, bringing 98% of the SSSIs into favourable condition and realising improvements in water quality through reductions in colour, suspended solids and a reduced risk of cryptosporidium.

Severn Trent's current Environmental Protection Scheme, STEPS, sees landowners being paid based not on what they do on their land, but on the actual water quality benefits delivered.

Wessex Water is using 'reverse auctions' to allow farmers to bid for funding to establish cover crops, preventing soil runoff over winter and reducing nutrient inputs into the river system, far more cost effectively than could be done by the company through other means.

Where Catchment Partnerships have played a role in these schemes; the value of this collaboration is notable (see pg5).

The 2019 Price Review (PR19) presents an opportunity to build upon all of this delivery.

Wildlife Link - Blueprint response to the Government's strategic priorities and objectives for Ofwat

Objective: Ofwat should encourage the sustainable use of natural capital by water companies – that is, our natural assets such as rivers and groundwater – by encouraging water companies to have appropriate regard to the wider costs and benefits to the economy, society and the environment

[Click to view Blueprint response to the Government's strategic priorities and objectives for Ofwat](#)

We welcome the expectation set out in paragraph 22, that companies will further the resilience of ecosystems underpinning water and wastewater systems and services. In recent years, Ofwat has consistently emphasised the importance of the resilience of all systems and services customers rely on, including ecosystems. It is therefore essential that companies look beyond the resilience of pipes, processes and power, investing in the resilience of the environment in the locations where their operations depend on it. Furthermore, the impact of climate change and population growth require companies to invest in the natural resilience of catchments now. This investment in natural resilience of catchments can increase or maintain water quality and quantity, without causing unacceptable pressures on the environment. We want to see companies proactively identify current and future ecosystem resilience vulnerabilities and develop plans to increase resilience and protect environments. In turn, this would increase the resilience of their own operations for the benefit of customers. Companies operating in Wales already have similar duties arising from the Environment Act (Wales) 2016. It would be useful to reflect this emphasis on expectations on companies in the SPS. The statements in paragraph 22 provide a more effective objective than the current objective around encouraging water companies to have appropriate regard to natural capital, by having appropriate regard to wider costs and benefits. We propose that the objective under paragraph 24 is amended as follows:

Ofwat should encourage companies to further the resilience of ecosystems that underpin water and wastewater systems, promoting the sustainable use of natural capital and encouraging companies to have appropriate regard to the wider costs and benefits to the economy, society and the environment.

Good Practice examples of Water Companies working with AONB Partnerships and Conservation Boards

- SW Water www.upstreamthinking.org
- [Click to view Looking after the land to protect our rivers](#)
- Peatland regeneration and colour monitoring over 10 years.
- [Click to view SCaMP Poster](#)

- [Click to view Monitoring goes on: SCaMP Project in North West England](#)

Catchment Management

The EU Water Framework Directive (WFD) has been in place since 2000. UK's main response to the WFD, are **River Basin Management Plans (RBMP)**.

Success of RBMPs at the AONB level - 5 year reviews? 2015 overview of key EA metrics e.g Thames

[Click to view Water for life and livelihoods - Part 1: Thames river basin district River basin management plan](#)

Update to the RBMPs in England - National Evidence and Data Report

[Click to view Update to the river basin management plans in England](#)

Climate Change - Flooding

Flood Management

High profile cases of flooding - fluvial and coastal - in recent years e.g Cumbria, Cornwall, Norfolk, York. More and more often there are newsworthy events and acceptance that events are occurring at a higher than predicted rates. But what are the long term responses to prevent or mitigate? How much engineering - higher flood banks - and how much better land management? - slow the flow schemes in catchment, new saltmarsh on re-aligned coast?

Natural Flood Management

[Click to view Catchment-Wide Flood Management](#)

Changing weather patterns have made structural defences less effective at managing flooding. An approach that employs a range of natural flood management measures across a river catchment is likely to reduce the probability of flooding and pressure on structural defences.

Defra FCERM Multi-objective Flood Management Demonstration project

PROJECT RMP5455: **SLOWING THE FLOW AT PICKERING** Final Report May 2015

[Click to view Slowing the Flow at Pickering](#)

The project has clearly demonstrated how a strong partnership approach can succeed in delivering an integrated set of land management measures to reduce flood risk at the catchment

scale, as well as provide wider multiple benefits for local communities.

NFU - The Flooding Manifesto 2017

[Click to view NFU The Flooding Manifesto](#) covers a wide area of issues including concerns about withdrawal of maintenance (N.B. Somerset Levels re-dredging) and better catchment management.

The NFU's preferred approach is for government to establish a long-term, strategic plan for flood and coastal risk management. This plan must be designed to cope with extreme events and take a whole catchment approach to management decisions and intervention. Consideration should also be given to the impacts of infrastructure and development on agricultural land.

...some of our most productive and highest value agricultural land is in the floodplain or coastal regions that are vulnerable to flooding, and deserves to be protected.

...Where farmers provide a service in mitigating flood risk to help protect others this must be a coherent, planned component of total catchment management, for which farmers must be fairly compensated.

In short, the government's strategy to manage future flood risk must be to Plan, Protect and Pay.

p18 Natural flood management techniques are measures that replicate natural occurrences to store, filter or slow the flow of water to reduce peak flows in flood-prone areas further downstream. Examples include woodland creation, woody debris dams, river re-meandering, soil management techniques, water storage areas in low-lying areas or ditch removal or blocking.

The NFU recognises that natural flood management techniques, in the right location, can have a role, but they are not the universal panacea. Instead they should only be used as part of a cohesive and carefully planned package of measures across the catchment, such as maintenance and de-silting, looking at upstream attenuation and downstream conveyance to address shorter and longer term flood risk.

Where natural flood management techniques are implemented, suitable financial support and incentives should exist. Agri-environment schemes may not be suitable, particularly for

bespoke, longer-term schemes or areas of low land water storage; funding mechanisms need to truly value the flood mitigation services provided and help farmers continue to produce food.

p19 ...Overall, we are sceptical that CAP funding is the right route for appropriate Natural Flood Management. Instead, and subsequent to the UK's exit from the EU, we need a funding model which truly values the service provided by Natural Flood Management and the benefits that it brings to the wider economy and society.

So, we would like to see a scheme that provides incentives, not just for income forgone, but also in recognition of the flood mitigation service farmers are providing to other stakeholders in the catchment. The ongoing maintenance costs of these schemes must also be taken into consideration.

Woodland Trust Practical Guidance - Natural Flood Management Guidance: Woody dams, deflectors and diverters [July 2016].

[Click to view Natural flood management guidance: Woody dams, deflectors and diverters](#)

Household Flood Insurance and 2014 Water Bill

[Click to view House of Commons Library - Household flood insurance](#)

The result of the negotiations is the new Flood Re scheme agreed in 2015, a commitment by the industry to offer insurance in high risk areas at affordable prices; the establishment of the Flood Re scheme run by the industry; a guarantee that the government would be primarily responsible for losses due to 'a catastrophic event' that Flood Re could not meet; and increased government spending on flood defences.

Flood Insurance Regulations (FloodRe)

[Click to view The Flood Reinsurance \(Scheme and Scheme Administrator Designation\) Regulations 2015](#)

[Click to view Working with nature to reduce flood risk](#)

EDUCATION

AONBs investing in education - mainly by providing information to schools – and curriculum needs. Outdoor education provision and support working with local outdoor centres. NPAs were prompted to invest in education as part of the 2016 8 Point Plan (an interest of the then Minister Rory Stewart)

1 - Connect young people with nature

- *double the number of young people to experience a National Park as part of National Citizen Service by 2020,*
- *a new package of teaching materials for schools based on National Parks, and*
- *National Park Authorities to engage directly with over 60,000 young people per year through schools visits by 2017 to 2018.*

Nationally there are concerns that children are missing out by not connecting with the natural environment, not least in schools.

Quantocks [Click to view Quantock Hills AONB Service Education Project \(QEd\)](#) ; **High Weald Heroes; Cotswold Warden** support to schools - key stage 2;

Natural England views

[Click to view Busting the myths on outdoor learning in schools](#)

"Evidence from our Monitoring of Engagement with Natural Environment (MENE) survey has told us that in an average month during 2013-15 only eight per cent of school-aged children (aged 6-15) in England visited the natural environment with their schools. Why is that so low? Well, we know from research undertaken by Kings College London that the lack of confidence teachers have in taking children outdoors is the big issue - something we set out to address through the Natural Connections Demonstration Project. Natural Connections was a four-year project that tested ways to embed outdoor learning in schools, designed with partners in response to evidence on the barriers teachers face. It was delivered by Plymouth University and local delivery partners, who supported 125 primary and secondary schools across the South West.

2011 King's College findings

[Click to view Outdoor learning: Kings College London reports](#)

MENE - school children pilot study

[Click to view Monitor of Engagement with the Natural Environment: a pilot to develop an indicator of visits to the natural environment by children](#)

Monitor of Engagement with the Natural Environment: a pilot to develop an indicator of visits to the natural environment by children - Results from years 1 and 2 (March 2013 to February 2015). Natural England Commissioned Reports, Number208

Adult participants in the MENE survey were asked new questions about the visits taken by the children in their household (children were not interviewed directly). This allowed the survey to report on the proportions of children from the population taking visits to the natural environment at certain frequencies (e.g. every day, once a week, etc.), the types of greenspace visited and who they went with. This also allowed generation of robust estimates of the total number of children in England who took visits to the natural environment at certain frequencies.

Monitor of Engagement with the Natural Environment (MENE) - survey continuing? (2017) - value in long term assessment of trends.

MENE reports here

[Natural England Access to Evidence - Monitoring use and enjoyment of the natural environment](#)

SENSE OF PLACE

Tranquillity - mentioned twice in para 77 and 123 of NPPF.

Winchester work on Tranquillity

The research undertaken by University of Winchester on Broadly Engaging with Tranquillity developed with Dorset AONB

[Click to view Making sense of the place in which we live: more than a feeling!](#)

This work has recently been published in Landscape and Urban Planning

[Click to view Broadly engaging with tranquillity in protected landscapes: A matter of perspective identified in GIS](#)

[Click to view What is tranquillity? New study seeks to define public perceptions of tranquil spaces](#)

International Dark Sky Park Status

www.darkskydiscovery.org.uk

[Click to view Dark Sky Discovery Map](#)

Dark Sky Discovery Sites are places that

- are away from the worst of any local light pollution and
- provide good sightlines of the sky have good public access, including firm ground for wheelchairs.

The sites are generally freely accessible at all times - please check the links for any special access arrangements.

MISCELLANEOUS

These items do not fit readily into any particular section but may be of use.

Definition of "other protected areas"

3.-(1) This regulation defines "other protected areas" for the purposes of section 4A of the Act.

(2) "Other protected areas" are areas of land at a depth of less than 1,200 metres beneath—

(a) a National Park;

(b) the Broads;

(c) an area of outstanding natural beauty; or

(d) a World Heritage site.

IUCN Category V. Confirmation

The National Association for AONBs received confirmation from the IUCN UK Committee (International Union for Conservation of Nature) of Category V status for Areas of Outstanding Natural Beauty in July 2013.

NAAONB case is here

[Click to view IUCN Protected Area Management Categories Statement of Compliance for the AONBs in England and Wales](#)

National Grid

[Click to view National Grid - Visual Impact Provision](#)

The Visual Impact Provision project represents a major opportunity to conserve and enhance the

natural beauty, wildlife and environmental heritage within our most protected landscapes.

The project will make use of a £500m allocation by Ofgem to carry out work to help reduce the impact of existing transmission lines in English and Welsh AONBs and National Parks.

Potential project selected in Dorset - still in planning (3 others in NPs)

England Coastal Path

Natural England expects to complete work on the England Coast Path in 2020.

England Coast Path: overview of progress [66 stretches of coast - open/approved/in progress/in planning]

7 April 2017 [Map](#)

[Click to view Coastal Access Completion by 2020 - Provisional Timings and Stretches](#)

The National Pollinator Strategy: for bees and other pollinators in England November 2014.

Relevance? Outcomes? Neonics???

- *More, bigger, better, joined-up, diverse and high-quality flower-rich habitats (including nesting places and shelter) supporting our pollinators across the country.*
- *Healthy bees and other pollinators which are more resilient to climate change and severe weather events.*
- *No further extinctions of known threatened pollinator species.*
- *Enhanced awareness across a wide range of businesses, other organisations and the public of the essential needs of pollinators.*
- *Evidence of actions taken to support pollinators.*

National Park 8 Point Plan 2016 [Click to view National Parks: 8-point plan for England](#)

1 - Connect young people with nature

2 - Create thriving natural environments

3 - National Parks driving growth in international tourism

4 - Deliver new apprenticeships in National Parks

5 - Promote the best of British food from National Parks

6 - Everyone's National Parks

7 - Landscape and heritage in National Parks

8 - Health and wellbeing in National Parks

Wales Review of Designated Landscapes

- **National Landscapes: Realising their Potential.** The Review of Designated Landscapes in Wales. Final Report. Professor Terry Marsden, John Lloyd-Jones, Dr Ruth Williams 2015
[Click to view The review of designated landscapes in Wales](#)
[Click to view National Landscapes: Realising Their Potential](#)
- **Future Landscapes: Delivering for Wales May 2017**
[Click to view Future Landscapes: Delivering for Wales](#)

UK Airport Expansion - Davies Commission

[Click to view Airports Commission: Final Report](#)

- *Exec Summary*
- *The position of the UK within the global aviation market is critical to its economy: it is central to ensuring increased productivity, growth and employment opportunities. The Airports Commission's terms of reference require it to propose measures to maintain the UK's status as global hub for aviation. Delivering new capacity by 2030 will be crucial to that objective.*
- *The Airports Commission short-listed three options for this new capacity: one new northwest runway at Heathrow Airport; a westerly extension of the northern runway at Heathrow Airport; and one new runway at Gatwick Airport. It conducted a robust, integrated and transparent process to assess these options, considering a range of economic, social and environmental factors and engaging extensively with interested parties through formal consultation, public evidence sessions and a programme of meetings and visits.*
- *Each of the three schemes shortlisted was considered a credible option for expansion, capable of delivering valuable enhancements to the UK's aviation capacity and connectivity. Each would also have environmental impacts, which would need to be carefully managed.*
- *The Commission none-the-less unanimously concluded that the proposal for a new Northwest Runway at Heathrow Airport, in combination with a significant package of*

measures to address its environmental and community impacts (see box below), presents the strongest case.

- Government accepted Heathrow expansion case in autumn 2016.
- Arguments made by Gatwick and Luton for expansion led to approvals for increased operations and infrastructure at Luton (new larger departures and arrivals hall as well as another pier with boarding gates); approval for expansion at Lydd on appeal and after JR - [Click to view BBC News - Expansion of Kent's Lydd Airport to go ahead](#)

National Air Traffic Service (NATS)

[Click to view NATS welcomes Government runway decision](#)

Having now made an important decision to secure the future runway capacity the country needs, we must get on with modernising airspace right across the UK to ensure we can meet the forecast growth in air traffic of 40% by 2030.

London Airspace Change Proposal (LAMP)

[Click to view London Airspace Change Proposal](#)

The first phase of the LAMP was implemented in February 2016, following approval by the CAA in November 2015. The changes pave the way for wider modernisation of airspace to deliver more efficient flights, saving fuel and reducing CO2 emissions, and reducing noise, keeping aircraft higher for longer and minimising areas regularly overflown.

Latest NPA MP Reviews

YDNPA Survey NP MP May 2017 - very short

[Click to view YDNPA Management Plan Consultation](#)

Peak District Park MP - May 2017

[Click to view Peak District National Park Plan](#)

(see Appendix 1 to paper) seeking public participation in June / July 2017 to help review and concerns about monitoring the effects of the plan.

The Authority approved the full progress report of the NPMP 2012-17 at its meeting on 7th October 2016 (minute reference 39/16). It was also agreed that as we update the NPMP for the next 5 years, the current vision framework is still fit for purpose. The report concluded that the 2012-17

NPMP had been instrumental in bringing together many diverse partners and stakeholders to help tackle the many issues facing the Peak District National Park (PDNP). However, the report concluded that reporting and monitoring of the NPMP 2012-17 had been difficult and in many cases it was unclear what added value the plan had brought to the management of the Peak District National Park. Therefore, it was agreed that the NPMP 2018-23 would use the existing vision framework and identify a small, but strategic number of areas of focus, to deliver significant environmental, social and economic benefit to the Peak District National Park, its residents, businesses and visitors.

[N.B. Author's emphasis on monitoring and review feedback loop]

See also

[Click to view Peak District National Park State of the Park](#) which covers the "State of the Peak". Topic areas are covered such as Agriculture and Water Quality - there is little trend information despite some long term data being available (State of the Peak for 2001, 2004, 2007). Hard to see the big picture with information set out in this fashion.

- *This report will not only provide the baseline of the National Park Management Plan, but also for the first time provide continuous updates of information in order to measure success.*
- *The current vision framework will remain the same. Based on feedback from partners, we believe it continues to accurately express what we want to achieve. It is clear that we need to simplify the presentation of our management plan. We need those with an interest in the Peak District National Park to see clearly how they can help to achieve the vision. They must feel empowered to take the actions that will maintain the distinctive sense of place. We must prioritise the more significant and urgent challenges for the next five years. Alongside the eight special qualities, we have identified eight areas that we think the next management plan should focus on. These areas are where we can make the greatest impact. We introduce the special qualities and the areas of impact in sections 3 and 4 for you to consider.*

- *We need to know if our refreshed presentation of the 'Special Qualities' properly summarises what makes the Peak District National Park special - 8 newly drafted Special Qualities previously set out in the 2016 /17 Performance and Business Plan - expanded here into narratives*
- *Following this consultation, we will finalise the eight special qualities. Once they are agreed, the next step will be to build our evidence base for each special quality and begin to detail*
- *We need to know if the eight 'Areas of Impact' are the best areas of focus for the new management plan - the eight areas of impact are those themes where our actions can make the greatest difference. They will become the focus of the next National Park Management Plan, with deliverable actions for each area of impact. The areas of impact are in no particular order. They should be read as an integrated set, rather than in isolation. In summary, the eight areas of impact are as follows....*
- *These are expanded into narratives for each Area of Impact which provide a rationale for the policies set out e.g.*
- *Secure future land management support schemes
We want to ensure land management in the Peak District National Park delivers the full range of benefits.
We want to encourage our farmers to protect and enhance the natural and cultural environment. All who care for the land in the Peak District National Park must present a clear collective voice to shape future policies and support schemes. The Peak District National Park should be a test-bed for revised support schemes and new ways of working.*
- *Why?*
- *Our exit from the European Union may bring changes to support and incentives for land management. This may affect the provision of benefits. This creates the opportunity to develop schemes that will deliver a full range of benefits from public money. There is a need for a new policy that balances the needs of the environment and farming; and delivers the full range of benefits.*
- *Revised support schemes should support ways of farming in the uplands that benefit nature*

and deliver to existing and new markets. Consumers like to support local markets. New schemes should reward land managers for the full range of benefits they provide. These include carbon storage, improving water quality and preventing floods, as well as conserving and enhancing cultural, heritage assets and natural heritage. Moreover, they should reward sustainable food production. Schemes need to be simple and work in ways that engage farmers in defining and delivering clear results.

Annex 1. Documentation - Published Management Plan Guidance

AONB - CA23 2001 [Click to view Areas of Outstanding Natural Beauty Management Plans: A guide](#)

CA221 2006 [Click to view Guidance for the review of AONB Management Plans](#)

Advice Note to AONB Partnerships and Conservation Boards, the Conservation Boards and Relevant Authorities on Management Plan Reviews 2012 (CA221)

[Click to view Guidance for the review of AONB Management Plans](#)

NPs - CA216 2005 [Click to view National Park Management Plans – Guidance](#)

AONB Management Plans - Guidance for Local Authorities in Wales, Countryside Council for Wales 2002 (CA23) [Click to view AONB Management Plans: A guide](#)

Acts - Primary and secondary legislation

www.legislation.gov.uk

The three most important Acts are

The National Parks and Access to the Countryside Act 1949

[Click to view National Parks and Access to the Countryside Act 1949](#) was the first piece of relevant legislation which provided for the designation of AONBs. This legislation provided for planning protection of AONBs and gave local authorities the power to take action to conserve them. But no statutory duties were placed on Local Authorities or any other body.

Since then, however, the pressures on the landscape of our protected areas have increased dramatically and the original provisions of the 1949 Act have been seen to be inadequate and have been heavily modified by subsequent legislation.

Section 6(4)(e) covers the duty of Natural England or Natural Resources Wales to give advice in connection with development matters which might affect AONBs.

The Environment Act 1995

[Click to view Environment Act 1995](#) brought in new measures for the protection of National Parks (part III). Initially the CRoW Bill had no clauses relevant to AONBs and a new role was created by the then AAONB to ensure this omission was reversed. Supported by the Countryside Agency, the AAONB used Lord Renton's 1999 Bill which followed up on the Countryside Agency's 1998 recommendations to Government for AONBs to push for inclusion; these were only effectively addressed via CRoW Act and its implementation.

The Countryside and Rights of Way (CRoW) Act 2000

[Click to view Countryside and Rights of Way Act 2000 - Contents](#) placed AONBs on a more secure footing and significantly increased their importance as nationally designated landscapes:

Part IV of the CRoW Act 2000 significantly raised the profile of AONBs by placing new responsibilities on the Local Authorities and, any newly created, Conservation Boards who are responsible for their management, including a statutory duty to produce and regularly review AONB Management Plans for their areas, and a duty on all 'relevant authorities' to have regard to AONB purposes.

Section 82 / 83 of the Act covers designation of AONBs and NE Power to handle boundary modifications

[Click to view Countryside and Rights of Way Act 2000 - Section 82](#)

[Click to view Countryside and Rights of Way Act 2000 - Section 83](#)

Section 84 - mainly clarification but places onus on Local Planning Authorities to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area

Section 85 of the Act places a duty on all public bodies and statutory undertakers (commonly referred to as Relevant Authorities or 'Section 85 bodies') to have regard to the purposes of AONBs.

[Click to view Countryside and Rights of Way Act 2000 - Section 85](#)

Section 86 establishes a process for creating AONB Conservation Boards.

[Click to view Countryside and Rights of Way Act 2000 - Section 86](#)

Section 89 creates a statutory responsibility for Local Authorities and, newly created, Conservation Boards to produce and regularly to review AONB Management Plan (one plan produced jointly for each AONB)

[Click to view Countryside and Rights of Way Act 2000 - Section 89](#)

There is no AONB Circular but **Circular 04/01** covers the whole of CRoW. This is in contrast with National Parks which had Circular 12/96 following the 1995 Environment Act and an updated circular with a vision published in 2010.

Responsibility of Natural England

[Click to view AONBs: Natural England's role](#)

Natural England Designation Strategy 2012

[Click to view Natural England Designations Strategy](#) The **primary purpose of AONB designation**, as derived from the 1949 National Parks and Access to the Countryside Act, is to conserve and enhance natural beauty. This primary purpose was reaffirmed in a 1991 Policy Statement on AONBs (Areas of Outstanding Natural Beauty: A Policy Statement. 1991, CCP 356).

Previous Policy Statements were CCP 141(the first for AONBs); updated by CCP157; and finally CCP 532. These include references to "secondary purposes": ...have due regard to the needs of agriculture and forestry and to the economic and social interests of rural areas.

These has not been updated or rescinded but the secondary purpose has been re-stated in most AONB Management Plans. The source of wording is within s37 of the **Countryside Act 1968**

[Click to view Countryside Act 1968 - Section 37](#)

37 Protection for interests in countryside.

In the exercise of their functions under this Act [F1 the Act of 1949 and the Wildlife and Countryside Act 1981] it shall be the duty of every Minister, and of the [F2 Agency], the [F3, the Council], [F4 English Nature]. . .] and Local Authorities to have due regard to the needs of agriculture and forestry and to the economic and social interests of rural areas. This required the policies of the Countryside Commission to show "due regard" to farming, forestry and rural industries. s37 also applies to LAs and others. During the notification and approval of the Benty Grange SSSI counsel opinion was taken by NE on the role of s37 in the SSSI designation process.

[Click to view Benty Grange Site of Special Scientific Interest \(SSSI\) – confirmation of notification](#)

It is worth noting Local Authorities already (by statute) have a recreation and socio economic remit.

IUCN Category V status

The National Association for AONBs worked with IUCN UK Committee (International Union for Conservation of Nature) to achieve confirmation of Category V status for Areas of Outstanding Natural Beauty in July 2013.

Defining Natural Beauty

Natural beauty is the most significant factor in designation of both AONB and National Parks (where it is “outstanding”) but is not readily appreciated or defined as a concept. See Selman and Swanwick

[Click to view On the Meaning of Natural Beauty in Landscape Legislation](#)

The first legal reference to natural beauty is probably contained in the 1907 Act to establish the National Trust for Places of Historic Interest and Natural Beauty. The phrase “to improve the means of access for pedestrians to areas of natural beauty” emerged in the findings of the 1931 Addison Report “Report of the National Park Committee” Command 3851, on mechanisms to preserve the countryside by National Park status.

Selman and Swanwick: There is little evidence to indicate how the final phrasing of the 1949 National Parks and Access to the Countryside Act came into being. Cherrylvi 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.

An insight into cultural heritage aspects of designation is provided by Dedham Vale. This area was not identified by Dower or Hobhouse but came to prominence as a result of a Planning Appeal dismissal in 1965. The Dedham Vale Designation History (para 32) points to the “particularly unusual” wider interpretation of natural beauty, to include the “cultural landscape” associated with the painter John Constable, by the Countryside Commission and the Minister of Housing and Local Government. The Designation Order was confirmed in 1970.

Section 3 of the Wildlife and Countryside (Amendment) Act 1985 which amended Section 43 of the Wildlife and Countryside Act 1981 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 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.”

The Countryside Agency's guidance for writing **AONB Management Plans (CA 23 2001)**

[Click to view Areas of Outstanding Natural Beauty Management Plans: A guide](#) includes ‘The natural beauty of AONBs encompasses everything - ‘natural’ and human - that makes an area distinctive: geology, climate, soil, plants, animals, communities, archaeology, buildings, the people who live in it, past and present, and the perceptions of those who visit it.’

Natural beauty is further clarified by **S99 of the 2006 Natural Environment and Rural Communities Act** [Click to view Natural Environment and Rural Communities Act 2006](#) following legal challenges to the designation of the New Forest National Park (Meyrick court case). This clarification arguably adds nothing to the original 1949 definition as it says what need not be excluded – as such it does have resonance with the Wildlife and Countryside Act references to mountain, moor and heath etc.

Hobhouse Report 1947 - the origins of designation

In addition to accepting and developing **John Dower's** vision for National Parks, the **Hobhouse Report (1947 Command 7121)** proposed 52 “Conservation Areas” (many of which became what are now AONBs). The

Hobhouse Committee worked closely and contemporaneously with the Huxley Committee on Nature Conservation. "The Conservation Areas" were tracts of countryside with scenic quality comparable to that of the National Parks, the character of which should be preserved, but where the "degree of positive management required in the National Parks" was unnecessary. It seems providing for recreation was perceived to be unnecessary although the areas did "include important holiday areas". The proposals were seen as an essential corollary to the National Parks but would be managed separately at the local level by Advisory Committees. The additional funding of AONBs under the 1947 Town and Country Planning Act was envisaged at least as early as 1954 (note for National Parks Commission NPC / G/ 178) – 75% grants as opposed to the standard 50% were available for: (a) removal of disfigurements, (b) tree preservation and tree planting, (c) restoring or improving the appearance of derelict land (d) the making of access agreements or orders and (e) the payment of wardens.

As implied by the term 'Conservation Area', Hobhouse's criteria for selection included an emphasis on their scientific value. Work to designate AONBs went more slowly than National Parks and took place between the mid 1950s and 1995. The original areas of search from the 1940s were addressed systematically by the statutory agency – i.e. the National Parks Commission and Countryside Commission.

Some new areas were also considered which were not on the Hobhouse list – Dedham Vale, Tamar Valley, Solway Coast, Lincolnshire Wolds and Chichester Harbour are the five which were accepted as AONBs. Other areas saw considerable changes from the Hobhouse Map e.g Isle of Wight and High Weald.

Calls for new AONBs have been made in recent years but not acted upon. In July 1982, the Secretary of State invited the Countryside Commission to review the boundaries of the then 33 AONBs. A wider review of National Park boundaries started in 1984 but was abandoned due to rising costs; work was carried out in The Mendips (minor review); the Chilterns, Cotswolds and Dedham Vale. The 1991 AONB Statement considered the benefits did not justify the resources deployed and that no further comprehensive reviews would be undertaken (Section 4 page 7). Limited AONB work in Cotswolds and Chilterns in 1991 also ran into similar difficulties.

Powers of Defra, Natural England, Local Authorities

Defra's powers, Natural England's statutory duties and powers, Local Authority duties, and Natural England's wider role with AONBs

[Click to view Areas of outstanding natural beauty: Natural England's role](#)

Conservation Boards - Defra Departmental Guidance 2008

[Click to view Defra AONB and Conservation Board Departmental Guidance](#)

[Click to view Defra Flow chart of generic Conservation Board establishment process](#)

Central Funding of AONBs

The 2003 Haskins' Review (review of arrangements for delivering Defra's rural policies in England and recommendations on effectiveness of delivery mechanisms recommended (rec.no.2) that AONBs be funded by Defra (like NPAs) but this was not elaborated on or taken forward at the time.

[Click to view Rural Delivery Review: A report on the delivery of government policies in rural England](#)

In early 2004, direct funding of AONBs by Defra was considered partly in response to concerns that Countryside Agency funding would be drastically reduced in 04/05. The draft Countryside Agency Corporate Plan suggested this to be the case but in the event funding decreased very slightly.

History of AONB Funding by Countryside Commission

In 1988/89 the reported grant figure from the Countryside Commission for AONBs was £151,000. Heritage Coast was stated at £213,000.

Countryside Commission Board paper 96/19 gives AONB grants as: 1990/91 £322k, 1991/92 £421k, 1992/93 £662k, 1993-94 £1563k, 1994-95 £2046k (£636k for Sussex Downs CB), 1995/96 £1910, 1996/97 £1729k. It also reported that grant percentages were falling. From 45% to 25% across that period and that LAs were finding it increasingly difficult to find their position of funding.

In 1996 the Countryside Commission consulted on AONB funding and suggested a figure of £14m annually. A more comprehensive "Protected Areas Funding Study" for both AONBs and National Parks in 1997/98 was undertaken by ERM Consultants – this suggested a figure of £18.5m for AONBs and an extra £5m to National Park Authorities (which then had a £17m budget).

The 1998 Countryside Commission Board paper - 98/10 - Draft of Advice to Govt. says on (increasing) funding on Core Functions "...central Government funding is essential for these functions, in order to provide authorities with security of funding and the means of performing their duties" and "We are not planning to include the provision, originally proposed by the Commission, for spending to be taken into account in government standard spending assessments; while it may be right in principle, it is not practicable for such small sums."

Duty to Have regard

Section 85 of the Countryside and Rights of Way (CROW) Act 2000 (like S11A NP Act/S62 Env't Act for NPs) places a duty on all public bodies (relevant authorities) to have regard to the purposes of AONB designation when carrying out their work. Individuals such as Directors and councillors are also covered when working for Relevant Authorities.

[Click to view Countryside and Rights of Way Act 2000 - Section 85](#)

Guidance is available on the role of S85 and Relevant Authorities in two volumes:

England's statutory landscape designations: a practical guide to your duty of regard. NE 2010. NE243.

[Click to view England's statutory landscape designations: a practical guide to your duty of regard](#)

Duties on relevant authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty (AONBs) and the Norfolk and Suffolk Broads. Guidance note. Defra. 2005.

[Click to view Duties on relevant authorities to have regard to the purposes of NPs, AONBs and the Norfolk and Suffolk Broads](#)

In a High Court case in 2014 concerning the Broads (Laurel's Farm wind turbines and how a Planning Inspector's approach to have regard (under the Broads Act) Justice Cranston said

"To have regard to a matter means simply that that matter must be specifically considered, not that it must be given greater weight than other matters, certainly not that it is some sort of trump card. It does not impose a presumption in favour of particular result or a duty to achieve that result. In the circumstances of the case other matters may outweigh it in the balance of decision-making. On careful consideration the matter may be given little, if any, weight."

[Click to view Howell & Ors v Stamford Renewables Ltd & Ors \[2014\]](#)

Natural England with its **overview role** has a lead interest in understanding how duty to have regard is being followed. Care should be taken when dealing with duties of **privatised utilities** (e.g. BT, National Grid, CAA) which are not covered by s85 but may have similar duties under the acts which brought them into being. However, the Regulatory bodies of such utilities e.g. Ofwat, are covered by S85. Water and sewerage undertakers (under s.190 of, and Schedule 25 to, the Water Act 1989 for National Parks and AONBs, under the Section 25 of the Broads Act 1988 for the Broads) are also covered by s85.

For Water Companies' Disposal of land – the **1991 Water Industry Act 156** applies (156 (4) (c) (i) and 156 (4) (d)). This allows for land to be conserved, access maintained etc. (via covenant) by inviting consultations with the relevant AONB Partnership or Conservation Board prior to sale.

National Grid (NG) - [Click to view National Grid - Our Amenity Responsibilities](#)

Under Section 38 and Section 9 of the **Electricity Act 1989**, National Grid has a duty to:

Schedule 9 "have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and shall do what it reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on such flora, fauna, features, sites, buildings or objects."

There is no equivalent to this duty in the provisions of the **Gas Act 1986**. As a responsible business National Grid believes that the principles of Schedule 9 should apply equally to both our electricity and gas transmission works and our gas distribution works above 7 bar (gauge) in pressure.

NG approach is informed by the results of our undergrounding consultation and our experience of major transmission infrastructure projects. It complies with the requirements of the Planning Act 2008 and the National Policy Statement on Electricity Networks Infrastructure (EN-5), and retains the principles of the Holford Rules which give guidance on the routing of overhead lines.

[Click to view National Grid - Our approach to the design and routing of new electricity transmission lines](#)

[Click to view National Grid - The Holford Rules](#)

Permitted Development Order - Electronic Communications Codes

DCMS consultations in 2010 and 2011 refer to additional planning controls being maintained in National Parks and AONBs.

[Click to view Consultation on Relaxing the Restrictions on the Deployment of Overhead Telecommunications Lines](#)

The Government announcement in September 2012 concluded such planning restrictions for broadband roll out and mobile communications would be removed – subject to consultation. This would require amendment of the Permitted Development Order and the Electronic Communications Code which has the default position of undergrounding wires at any location.

Moves to boost the roll-out of mobile broadband, were published in May 2013 for consultation.

[Click to view Mobile Connectivity in England](#)

The Growth and Infrastructure Act

This makes provision for amending the DCMS Secretary of State's duties under the Comms Act (including promoting growth) for a period of 5 years. However due to the weight of interventions by interested parties and helpful new clauses developed jointly by NAAONB and NPE the Act does not make changes to S85 of CRoW due to this clause.

[Click to view Growth and Infrastructure Act](#)

s9(2B) The Secretary of State is to be treated as also having complied with any duty imposed in connection with that exercise of that power by either section 11A(2) of the National Parks and Access to the Countryside Act 1949 or section 85(1) of the Countryside and Rights of Way Act 2000;

Civil Aviation Authority (CAA)

In exercising or performing any functions in relation to, or so as to affect, land in National Parks and AONBs, the CAA is required have regard to these statutory purposes under s.19 of, and Schedule 2 to, the Civil Aviation Act 1982.

It was widely recognised that this was a legitimate issue to be looked into by the CAA and NATS rather than disagreeing about the effect on tranquility. Guidance to the CAA's Directorate of Airspace Policy refers specifically to tranquility. Several AONBs and National England responded to the consultation. CAA has legal duty to have regard to AONBs and National Parks as s19 of, and Schedule 2 to, the Civil Aviation Act 1982 make clear that the CAA is a public body.

[Click to view Aviation Act 1982](#)

Section 70(2) of the Transport Act 2000¹ requires the CAA to take account of any guidance on environmental objectives given to it by the Secretary of State.

[Click to view Guidance to the Civil Aviation Authority on Environmental Objectives Relating to the Exercise of its Air Navigation Functions](#)

- where practicable, and without a significant detrimental impact on efficient aircraft operations or noise impact on populated areas, airspace routes below 7,000 feet (amsl) should, where possible, be avoided over Areas of Outstanding Natural Beauty (AONB) and National Parks as per Chapter 8.1 of this Guidance; and
- Therefore, whenever practicable and in line with the priorities presented in Chapter 4.1 of this Guidance, the CAA should also take into account the concept of tranquility when making decisions regarding airspace below 7,000 feet (amsl).

National Air Traffic Service NATS New Framework 2013 [Click to view Aviation Policy Framework](#)

Airspace

3.31 The routes used by aircraft and the height at which they fly are two significant factors that affect the noise experienced by people on the ground. Consistent with its overall policy to limit and where possible reduce the number of people adversely affected by aircraft noise, the Government believes that, in most circumstances, it is desirable to concentrate aircraft along the fewest possible number of specified routes in the vicinity of airports and that these routes should avoid densely populated areas as far as possible. This is consistent with the long-standing concept of noise-preferential routes which departing aircraft are required to follow at many airports, including the noise-designated airports. Within the countryside, in common with other relevant authorities, the CAA has legal duties to have regard to the purposes of Areas of Outstanding Natural Beauty and National Parks and must therefore take these into account when assessing airspace changes.

AONB Agricultural Statistics

[Click to view Structure of the agricultural industry in England and the UK at June \(AONB stats 2007 - 2013\)](#). AONB breakdowns are only available in the years that correspond to the EU Farm Structure Survey. The latest available results are for 2010 and 2013. The next updates will relate to 2016 and then 2020.

AONB Policy Papers

Most of these official papers have been digitised and are held on Natural England's online library (OLIB) with copies in Defra files.

Countryside Agency papers

AP 00 11 CRoW Bill - no provision for AONBs within - Referred to Early Day Motion get AONBs inserted - with draft clauses. Board was gravely disappointed that AONBs had been omitted from the Bill. The Board supported the proposed clauses, which should be sent to the Minister and made available for partners and MPs, along with further briefing from the Agency.

AP 01/05 - post CRoW. Advice on 50% grants changed - sought 75% from Board. AONBs struggling to maintain momentum under 50% seen as risk in delivering aims of CRoW Act. Attention to core posts rather than projects. Improve governance issues.

Govt did not ("unusually") provide local authorities with direct funds through the Standard Spending Assessment mechanism to take account of their new statutory AONB responsibilities. Instead made through CA.

Autumn 2003 – effectiveness of funding programme.

Draft Corporate plan suggests drastic cuts to AONB programme. A number of AONBs contact Defra leading to a Defra Ministerial briefing on direct funding. In the end 04/05 AONB funding only slightly decreased.

July 04/26 Board – Evaluation of the AONB Programme. Concluded successful new funding arrangements; keep funding over 3 years; improve core / project consideration and better monitoring of performance. Staff levels in AONBs average 1.9 in 1998/99, up to 4.5 in 2003/04. 97% increase in LA funding cf 1998/99. 2004/05 Defra funds NPAs at 100% (3 year trial)

05 /17 Board - Tests to guide the decisionmaking process when considering suggestions for protected landscape boundary modifications.

Criteria for review suggested following extensive public consultation. Four tests – Intent; Evidence; Benefits; Priority.

Natural England Board Papers

Dec 2007 **Natural England Board** Areas of Outstanding Natural Beauty (AONB) Partnerships: Relationship development and operational delivery (Corporate Plan Target 1.1.6.3)

- Clarify how Natural England's relationship with AONB Partnerships and Conservation Boards can be linked more strongly with our Strategic Direction
- Identify options for delivery that will set the scene for a new, more mature relationship
- Agree a consultation framework with Defra, NAAONB and other stakeholders
- Clarify timescales for implementation
- Agree national team would oversee a new national statement of AONB support and negotiate SLAs spanning core activities and the Sustainable Development Fund.

Dec 2007 **Natural England Board** - hard choices AONB funding maintained.

4.3 The second option seeks to adjust the balance between staff and activity expenditure in order to minimise the impact on our heartland activities such as Local Biodiversity Partnerships, National Trails and Bridleways and AONBs and our work on NNRs.

April 2008 **Natural England Board** NEB PU10 02 2008/09 Budget Briefing on Hard Choices.

Funding at 07/08 levels for National Trails, AONBs and NNRs, to a total of £17million;

ANNEX 1 – Target 1.1.2. Protected Landscapes and areas of importance for geodiversity...

2008/09 £11.919m; 2009/10 £11.919m; 2010/11 £11.919m. **£9.85m for AONBs.**

Jul 2010 **Natural England Board**- new (AONB, NP) Designation guidance.

AONB Management Plan Revision

Specimen text: policy and legal framework

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Purpose and use of this document

The next round of English AONB Management Plans (MP) are mostly due to be completed by April 2019. This document responds to requests for the NAAONB to produce some stock paragraphs of specimen text suitable for use in individual AONB Management Plans, relating to the policy and legal framework of AONBs and that clearly and succinctly state what AONBs are and how they are managed.

This document supplements the Support Paper¹ (‘SP17’) produced by the NAAONB for English AONBs in June 2017 to feed in to this process. SP17 is itself not intended to replace existing statutory guidance (2001², 2006³) on AONB management planning. Rather it provides a background to the AONB designation process and an update on changes in the legislative and policy context

since the last AONB plans were produced in 2014. In each section, the specimen paragraphs presented here are cross-linked by page number to SP17.

Specimen paragraphs in this document assume a section on ‘the policy and legal framework’ of no more than 4 pages in length, in each AONB management plan. The paragraphs have been written in such a way that they apply to all AONBs. They could in principle be simply ‘pasted in’ (e.g. where plans are being prepared from scratch or where a new section is being entered to an existing management plan) or used to compare with or to modify existing text.

However, it is more likely that individual AONB partnerships¹ will wish to adapt selected text to their own circumstances, for example in relation to governance arrangements (for example Conservation Board, JAC or other committee, and to the local authorities involved). AONB partnerships may also want to integrate a specific local narrative (for example integrating the history of their own AONB with that of AONBs in general).

The paragraphs cover the following topics (the order and presentation of which is likely to vary between individual AONB Management Plans):

- Introduction [to a ‘Policy and Legal Framework’ section]
- Legal framework
- Responsibility for AONBs
- The meaning of ‘natural beauty’
- History of AONB designation and milestone documents
- The designation process
- Planning and AONBs
- The international context
- The NAAONB and the purpose of the AONB ‘family’.

AONB Management Plans need to be fully referenced. For clarity, references in this document are indexed by number to a concluding section from which they may be ‘pasted in’ as footnotes or endnotes to the appropriate paragraphs of each AONB management plan.

Though there is a common legislative basis for AONBs in England and Wales (distinct from that of Northern Ireland AONBs), the institutional and policy context differs in all three countries. This document (and SP17) relate to English AONBs.

1. Introduction

[SP17 pp. 10-43]

The 46 Areas of Outstanding Natural Beauty (AONB) in England, Wales and Northern Ireland cover approximately 1/8th of the land surface.

¹ AONB partnership with a lower case p, is the generic term used by the NAAONB to refer to an AONB Partnership, Joint Advisory Committee, Conservation Board or any other organisation recognized as the lead governance body for an AONB.

The distinctive character and natural beauty of AONBs make them some of the most special and cherished places in England. AONBs are living, working landscapes that contribute some £16bn every year to the national economy. Although home to less than half a million people (under 2% of England's population), over two thirds of England's population live within half an hour's drive of an AONB and around 150 million people visit English AONBs every year, spending in excess of £2bn.⁴

Together with National Parks, AONBs represent our most outstanding landscapes; unique and irreplaceable national assets, each with such distinctive character and natural beauty that they are recognised internationally as part of the global Protected Areas Family to be managed in the interest of everyone – local residents, businesses, visitors, and the wider public - and protected for future generations.

2. Legal framework

[SP17 Annexe 1 p47 on]²

AONBs exist within a legal framework which has been progressively strengthened since the first AONBs came into existence after the Second World War.

- The **1949 National Parks and Access to the Countryside Act**⁵ first established the AONB designation, provided AONBs with protection under planning law against inappropriate development and gave local authorities permissive powers to take action for '*preserving and enhancing natural beauty*'^{5 S88} in them.
- The **Countryside Act 1968**⁶ placed a responsibility on local authorities, the statutory conservation bodies, and civil servants, in exercising their functions under the 1949 Act (as amended by subsequent legislation) to '*have due regard to the needs of agriculture and forestry and to the economic and social interests of rural areas.*'^{6 S37}
Within AONBs, this means a responsibility to acknowledge and, where appropriate, to promote farming, forestry and the rural economic and social context wherever this can be done without compromising the primary purpose of conserving natural beauty.
- The **Environment Act 1995**⁷ introduced the phrase 'conserve and enhance' in place of 'protect and enhance' in relation to duties of local authorities, the Environment Agency and other bodies. No statutory duties were placed on local authorities actively to manage AONBs in any particular way.
- The **Countryside and Rights of Way Act 2000**⁸ (CRoW) subsumes and strengthens the AONB provisions of the 1949 Act. It confirms the purpose and significance of AONBs, clarifies the procedure for their designation, and created a firm legislative basis for their designation, protection and management.

In particular

² An accessible summary of the legal framework is presented in CA23² pp. 72-75. An example of a brief summary of CRoW can be found on the High Weald AONB webpages at www.highweald.org/look-after/planning/aonb-legislation.html.

- Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty.
- Section 83 establishes the procedure for designating or revising the boundaries of an AONB, including Natural England’s duty to consult with local authorities and to facilitate public engagement.
- Section 84 confirms the powers of a local authorities to take *‘all such action as appears to them expedient’* to conserve and enhance the natural beauty of an AONB, and sets consultation and advice on development planning and on public access on the same basis as National Parks in the 1949 Act.
- Section 85 places a statutory duty on all ‘relevant authorities’ to *‘have regard to the purpose of conserving and enhancing the natural beauty’* of AONBs when coming to any decisions or carrying out activities relating to or affecting land within these areas. ‘Relevant authorities’ include all public bodies (including county, borough, district, parish and community councils, joint planning boards and other statutory committees); statutory undertakers (such as energy and water utilities, licensed telecommunications companies, nationalised companies such as Network Rail and other bodies established under statute responsible for railways, roads and canals); government ministers and civil servants.
Activities and developments outside the boundaries of AONBs that have an impact within the designated area are also covered by the ‘duty of regard’.
- Sections 86 to 88 allow for the establishment in an AONB of a Conservation Board to which the AONB functions of the local authority (including development planning) can be transferred. Conservation Boards have the additional but secondary function of seeking to increase public understanding and enjoyment of the AONB’s special qualities. They also have an obligation to *‘seek to foster the economic and social well-being of local communities’* in co-operation with local authorities and other public bodies.³
- Sections 89 and 90 create a statutory duty on all AONB partnerships (local authorities and Conservation Boards) to prepare a Management Plan *‘which formulates their policy for the management of their area of outstanding natural beauty and for the carrying out of their functions in relation to it’*, and thereafter to review adopted and published Plans at intervals of not more than five years. Where an AONB involves more than one local authority they are required to do this *‘acting jointly’*.
- Section 92 makes clear that the conservation of natural beauty includes the conservation of *‘flora, fauna and geological and physiographical features.’*
- **The Natural Environment and Rural Communities Act 2006² (NERC):**
 - Section 99 formally clarifies in law that the fact that an area consists of or includes land used for agriculture or woodlands, or as a park, or *‘any other area whose flora, fauna or*

³ NB: Conservation Board management plans will need to expand this section.

physiographical features are partly the product of human intervention in the landscape' does not prevent it from being treated, for legal purposes 'as being an area of natural beauty (or of outstanding natural beauty).'

- Schedule 7 asserts that an AONB joint committee of two or more local authorities, or a conservation board, can constitute a 'designated body' for the performance of functions allocated to Defra.

3. Responsibility for AONBs

[SP17 legislative sections as above and whole]

The formal legal responsibility for both development control and for management of AONBs (including the duty to prepare an AONB Management Plan) lies with the local authorities in whose area(s) the AONB exists, except in two instances (the Chilterns and the Cotswolds AONB) where this is the responsibility of a statutory Conservation Board.

In addition, the duty of all public bodies and statutory undertakers to 'have regard'¹⁰ places an obligation on a wide range of organisations not just to consider any detrimental impacts of their policies and activities outside as well as within the boundaries of any AONB, but positively to consider how they might benefit the AONBs special qualities.

Statutory guidance for the production of AONB Management Plans is contained in CA23² and CA221³. These make it clear that preparation needs actively to engage and gain the support of all key stakeholders, who will assist in its delivery. The AONB Management Plan is a place-based plan derived through local consensus. It seeks to define the approach to conserving and enhancing the natural beauty of the AONB through the application of local solutions to local challenges that also respect the national and international importance of the AONB. It is a plan not for the partnership but for the AONB as a whole.

4. The meaning of 'natural beauty'

[SP17 Annexe 1 p 49]

The term 'natural beauty' first gained currency in a legislative context in the 1907 Act which gave legal status to the National Trust ('for Places of Historic Interest and Natural Beauty'). It has been the basis for the designation of both AONBs and National Parks since the 1949 National Parks and Access to the Countryside Act in which, however the term was not defined.

In June 2000 the Government confirmed that AONBs and National Parks are of equal status with regard to landscape quality and that they share the same level of protection. In the same year, the CROW Act formally stated that natural beauty includes conservation of *'flora, fauna and geological and physiographical features'*.^{8 Section 92}

Natural beauty goes well beyond scenic or aesthetic value. The natural beauty of an AONB is to do with the relationship between people and place. It encompasses everything - 'natural' and human -

that makes an area distinctive. It includes the area's geology and landform, its climate and soils, its wildlife and ecology. It includes the rich history of human settlement and land use over the centuries, its archaeology and buildings, its cultural associations, and the people who live in it, past and present.^{2; 11; 12; 13}

5. History of AONB designation and milestone documents

[SP17 Annexe 1 p 49. *Individual AONBs are likely to want to focus on their own specific history of designation starting with the early recognition of their landscapes' distinctive and valued qualities and moving to the more recent history of formal designation.*]

AONBs emerged from the mood of civic renewal which characterised the decades following the end of the Second World War - the 1949 National Parks and Access to the Countryside Act was one amongst many – including health, education, agriculture and development planning – which established the basis for a 'new Britain'.

The need to designate special areas of the countryside against inappropriate development, to celebrate and conserve their distinctive features, encourage sustainable agriculture and foster local economic well-being was recognised well before the Dower (1945) and Hobhouse (1947) reports which led to the establishment of AONBs and National Parks.

Since their establishment by the 1949 Act there has been continuous development in the policy and legislative context of AONBs, shaped by a number of key policy documents including

- Areas of Outstanding Natural Beauty - A Policy Statement (Countryside Commission & Countryside Council for Wales, 1991)¹⁴
- Areas of Outstanding Natural Beauty - A Guide for Members of Joint Advisory Committees (Countryside Commission & Countryside Council for Wales, 1994)¹⁵
- Protecting our finest countryside: Advice to Government (Countryside Commission, 1998)¹⁶
- Areas of Outstanding Natural Beauty Management Plans: A Guide (Countryside Agency, 2001)²
- Areas of Outstanding Natural Beauty. A Guide for AONB partnership members (Countryside Agency, 2001)¹¹
- Guidance for the Review of AONB Management Plans (Countryside Agency, 2006)³
- Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England (Natural England, 2011)¹⁷
- Guidance for assessing landscapes for designation as National Park or Area of Natural England Designations Strategy (Natural England, 2012)¹⁸

Seventy years after the 1949 Act, the production and implementation of revised AONB Management Plans will help to ensure that AONBs are leaders in developing and promoting the intentions of the 1949 Act in a rapidly changing modern context.

6. The designation process

[SP17 Annexe 1 As with S5 above, each AONB is likely to want to document its own individual designation which is likely to predate the current designation process as prescribed by the Countryside and Rights of Way Act 2000.]

AONBs are designated in law following a prescribed process which includes an objective appraisal of landscape quality, statutory assessments by the national conservation agencies and wide consultation with stakeholders including local landowners, residents and businesses. Following initial proposals for an AONB there is the opportunity for all stakeholders including visitors and the wider public to make representations, either in regard to the AONB itself or to proposed boundaries.

The basic stages in the current AONB designation process as prescribed by the Countryside and Rights of Way Act 2000⁸⁵⁸²⁻⁸⁴ are as follow:

1. Identify Candidate Area (for a new AONB or extension to an existing AONB) that meets the criteria for Natural Beauty
2. Ascertain issues relevant to the desirability of designation
3. Undertake required statutory assessments (including any requirement for SEA & EqIA)
4. Identify draft detailed boundaries within Candidate Area
5. Undertake statutory and wider consultations
6. Make any required amendments to the proposals and boundaries
7. Submit to Natural England Board for approval
8. If approved, NE produces draft legal Orders
9. Draft Order is put 'on deposit' - opportunity for all to make written representations (objecting, supporting or suggesting amendments)
10. NE finalise Orders & submit to the Secretary of State
11. SoS may order a public Inquiry
12. SoS may confirm the Orders, with or without modifications
13. Confirmation Order specifies any modifications and timetable
14. A period of 'Notice' follows during which the decision is open to challenge.

7. Planning and AONBs

[SP17 pp. 8-9, 14, Annexe 1 p34]

Areas of Outstanding Natural Beauty enjoy the same levels of protection from development as those of UK National Parks. Responsibility for planning policy in AONBs lies with the relevant local authority (in National Parks it lies with the National Park Authority). This means that while AONB Management Plans themselves do not form part of any local development plan they are, nevertheless, vitally important documents in the planning system. They are

- the basis for identifying those aspects of the AONB which are critical in contributing to its natural beauty and potentially influential in development planning policy and
- a 'material consideration' in the determination of individual planning applications and at appeal.

In particular, following changes in the planning system consequent on the introduction of the National Planning Policy Framework (NPPF) in 2012, the AONB Management Plan can:

- Propose criteria for judging what might count as sustainable development within the AONB. NPPF paragraph 14 asserts a *'presumption in favour of sustainable development'*. Footnote 9 refers to 'specific policies' which may negate this presumption, stating that *'Local plans should meet objectively assessed needs'* and *'where the development plan is absent or silent permission should be granted'* unless *'specific policies in this framework indicate development should be restricted. For example ...those policies relating to ...sites protected under the birds and habitats directives [...] an AONB. [...] or within a National Park.'*
- Identify the particular components of the AONB's landscape and scenic beauty. NPPF para 115 requires that in any decision *'[g]reat weight should be given to 'conserving landscape and scenic beauty' in AONBs which (together with National Parks) 'have the highest status of protection in relation to landscape and scenic beauty.'*

The intention is that NPPF should be reflected in local plans, produced in conformity with the Framework's guidance. However under half the area of England is covered by post-NPPF local plans, as a consequence of which a number of planning applications in AONBs where there is no recent local plan have been allowed, or refusal overturned on appeal.

NPPF Para 116 states that *'Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest.'*¹⁹ This applies only to developments proposed within an AONB and not to developments proposed in its setting that might impact on the AONB.²⁰ This makes it even more important that AONB management plans should influence new local plans as they are produced.

8. The international context

[SP17 Annexe 1 p43, 47, 48]

English AONBs are part of the international Protected Area Family. As cultural landscapes, produced through the interaction of humans with nature over time, they have a special significance (together with UK National Parks) as being recognised by the International Union for the Conservation of Nature (IUCN) as *'Category V - Protected Landscapes'*.^{21:22}

Category V protected landscapes are defined by IUCN as: *'A protected area where the interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.'*²³

IUCN emphasises their importance as cultural landscapes - in distinction to Category I (Strict Nature Reserves and Wilderness Areas) and Category II National Parks (which for IUCN are large natural or near-natural areas, unlike UK national parks).

Until recently, the AONB designation was regarded (together with that of UK National Parks) as an anomaly in the international protected area system which prioritised 'naturalness' as a criterion of value. In the last quarter-century, however they have come to be recognised, particularly within Europe, as leaders in the move towards area-based sustainable development. ^{24:25:26} AONBs in particular, as 'working' landscapes, lead the way in pioneering new approaches to integrated

countryside management based on voluntary partnerships engaging and working with local communities to secure common goals.

The new, multidisciplinary, multifunctional concept of landscape is encapsulated in the European Landscape Convention (ELC). Adopted by the Council of Europe in 2000 (it is not an EU directive and will remain unaffected by Brexit) and applicable to the UK since March 2007. ELC promotes a definition of landscape which usefully underpins the rationale for AONBs: *'An area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors'*²⁷, a rich concept that encompasses but goes beyond sectoral (geomorphological, ecological, archaeological, historical or aesthetic) approaches. ELC makes it clear that people are at the heart of all landscapes (the commonplace and 'degraded' as well as the eminent) each of which has its own distinctive character and meaning to those who inhabit or visit it.

The ELC places obligations on signatory states to recognise landscape *'as an essential component of people's surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity.'*²⁸ Obligations include a requirement to identify the diversity and range of landscapes, the important features of each, and to engage with local communities, private bodies and public authorities in their planning and management. This includes raising awareness and understanding of the character, value and functions of landscape and the way these are changing. There is also a requirement to provide training in landscape-related skills. AONBs and their managing organisations are a very significant contributor to delivering on the UK's obligations under ELC.

9. The NAAONB and the purpose of the AONB Family

The National Association for AONBs (NAAONB) is a charity that provides a strong collective voice for the UK's 46 Areas of Outstanding Natural Beauty (AONBs). Its objectives are to

- promote the conservation and enhancement of AONBs,
- advance the education, understanding and appreciation by the public of AONBs, and
- promote the efficiency and effectiveness of those promoting or representing AONBs, other protected areas and those areas for which designation might be pursued.

It does this by taking a collaborative and partnership-based approach to working with our membership and other organisations at a national level to achieve shared goals. For more information: Web: www.landscapesforlife.org.uk Twitter: @naaonb @AONBFamily

Charity members are involved in the planning and management of around 8,000 square miles of outstanding and cherished landscapes in England, Wales and Northern Ireland. Membership includes most of the AONB partnerships, as well as some of those Local Authorities with statutory responsibility for AONBs, together with a number of voluntary bodies, businesses, and individuals with an interest in the future of these iconic landscapes.

Charity Vision

The vision of the Charity is that the natural beauty of AONBs is valued and secure.

Charity Mission

The Charity's mission is to support and develop a network of ambitious AONB partnerships with a strong collective voice.

Through the NAAONB, the following high level objectives have been adopted as the common national purpose of the AONB Family:

- Conserve and enhance the natural and cultural heritage of the UK's Areas of Outstanding Natural Beauty, ensuring they can meet the challenges of the future,
- Support the economic and social well-being of local communities in ways which contribute to the conservation and enhancement of natural beauty,
- Promote public understanding and enjoyment of the nature and culture of Areas of Outstanding Natural Beauty and encourage people to take action for their conservation,
- Value, sustain, and promote the benefits that the UK's Areas of Outstanding Natural Beauty provide for society, including clean air and water, food, carbon storage and other services vital to the nation's health and well-being.

Richard Clarke

 rich@cepar.org.uk


October 2017

www.westminster.ac.uk/about-us/our-people/directory/clarke-richard;

www.bbk.ac.uk/arts/politics/our-staff/visiting-staff/richard-clarke;

www.hlf.org.uk/users/richard-clarke

4, Penn Road, London, N7 9RD

 0207 609 0245

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